

City Clerk File No. Ord. 17-160  
 Agenda No. 3.A 1st Reading  
 Agenda No. 4.A 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
 offered and moved adoption of the following ordinance:

### CITY ORDINANCE 17-160

**TITLE II AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-8 (PROHIBITED RIGHT TURNS ON RED SIGNAL) OF THE JERSEY CITY TRAFFIC CODE PROHIBITING THE RIGHT TURN AT THE RED SIGNAL FOR VEHICLES TRAVELING EASTBOUND LAIDLAW AVENUE TO SOUTHBOUND CENTRAL AVENUE, 8:00 A.M. TO 4:00 P.M., SCHOOL DAYS**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-8 (Prohibited right turns on red signal) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-8 Prohibited right turns on red signal.  
 No person shall make a right turn when facing a steady red signal (stop indication) at any of the locations listed below.

| Name of Street    | Direction of Travel | Prohibited Right Turn on Red Signal On to | Hours and Days                                |
|-------------------|---------------------|---|---|
| <u>Laidlaw Av</u> | <u>East</u>         | <u>Central Av</u>                         | <u>8:00 a.m. to 4:00 p.m.<br/>School Days</u> |

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
5. The City Clerk and Corporation Counsel be and they are hereby authorized and director to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All material to be inserted is new and underscored.

AV:pcj  
 (11.15.17)

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
 Corporation Counsel

Certification Required

Not Required

APPROVED: \_\_\_\_\_  
 Director of Traffic & Transportation

APPROVED: \_\_\_\_\_  
 Municipal Engineer

APPROVED: \_\_\_\_\_  
 Business Administrator

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance**

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-8 (PROHIBITED RIGHT TURNS ON RED SIGNAL) OF THE JERSEY CITY TRAFFIC CODE PROHIBITING THE RIGHT TURN AT THE RED SIGNAL FOR VEHICLES TRAVELING EASTBOUND LAIDLAW AVENUE TO SOUTHBOUND CENTRAL AVENUE, 8:00 A.M. TO 4:00 P.M., SCHOOL DAYS

**Initiator**

|                     |  |   |
|---------------------|--|---|
| Department/Division | Administration   | Engineering, Traffic and Transportation |
| Name/Title          | Andrew Vischio, P.E. at the request of Councilman Boggiano | Director of Traffic & Transportation    |
| Phone/email         | 201.547.4419   | AVischio@jcnj.org                       |

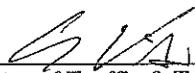
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

Prohibit the right turn at the red signal for traffic traveling eastbound on Laidlaw Avenue to southbound Central Avenue, 8:00 a.m. to 4:00 p.m., School Days.

This turning restriction will increase both pedestrian and traffic safety at the intersection.

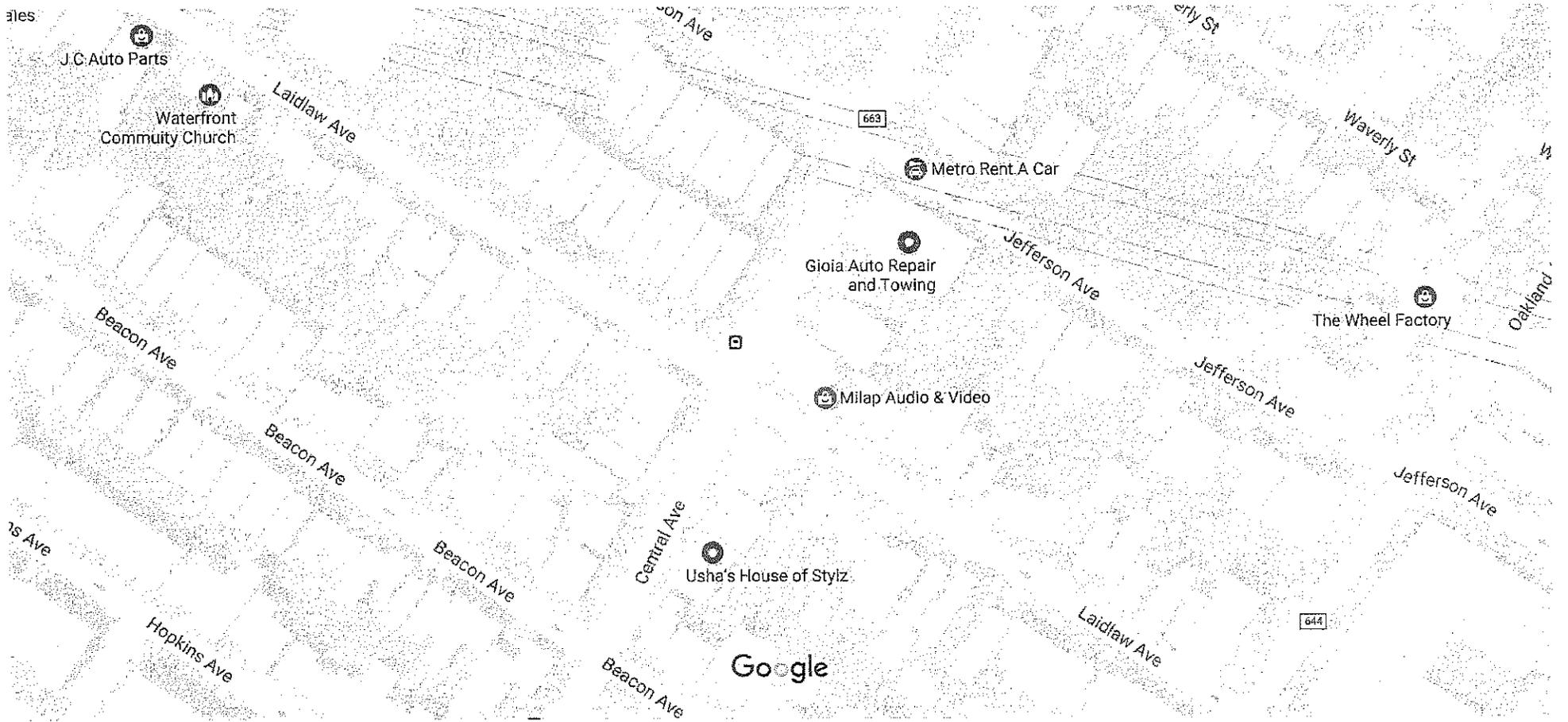
I certify that all the facts presented herein are accurate.

  
\_\_\_\_\_  
Director of Traffic & Transportation

11/15/17  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Department Director

\_\_\_\_\_  
Date



Map data ©2017 Google 100 ft

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-160  
 TITLE: 3.A NOV 29 2017 4.A

**DEC 13 2017**

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-8 (Prohibited Right Turns at the Red Signal) of the Jersey City Traffic Code prohibiting the right turn at the red signal for vehicles traveling eastbound Laidlaw Avenue to southbound Central Avenue, 8:00 am to 4:00 pm, Schools Days.

| RECORD OF COUNCIL VOTE ON INTRODUCTION <span style="float: right;"><b>NOV 29 2017</b> 8-0</span> |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <span style="float: right;"><b>DEC 13 2017</b> 8-0</span> |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H.               |     |     |      |               |     |     |      |                |        |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <span style="float: right;"><b>DEC 13 2017</b> 9-0</span> |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

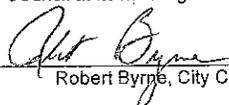
**NOV 29 2017**

Adopted on first reading of the Council of Jersey City, N.J. on \_\_\_\_\_

**DEC 13 2017**

Adopted on second and final reading after hearing on \_\_\_\_\_

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

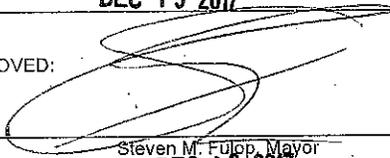
  
 Robert Byrne, City Clerk

APPROVED:

  
 Rolando R. Lavarro, Jr., Council President

Date **DEC 13 2017**

APPROVED:

  
 Steven M. Fulpp, Mayor

**DEC 18 2017**

Date \_\_\_\_\_

**DEC 14 2017**

Date to Mayor \_\_\_\_\_

\*Amendment(s):

City Clerk File No. Ord. 17-161

Agenda No. 3.B 1st Reading

Agenda No. 4.B. 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-161

**TITLE:**  
**AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC)  
ARTICLE XIII (PARKING, STANDING AND STOPPING) SECTION 332-31 (PARKING  
RESTRICTIONS FOR STREET CLEANING PURPOSES) EXTENDING THE PARKING  
RESTRICTIONS FOR STREET CLEANING PURPOSES ON WARREN STREET, ONE  
BLOCK NORTH TO SECOND STREET**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article XIII (Parking, Standing and Stopping) of the Jersey City Code is hereby supplemented as follows:

Section 332-31 Parking restrictions for street cleaning purposes.  
No person shall park a vehicle upon any of the streets or sides of the streets either in whole or in part, during the hours of the days listed below.

| <u>Name of Street</u> | <u>Side</u> | <u>Days of the Week</u> | <u>Hours</u>        | <u>Limits</u>                           |
|-----------------------|-------------|-------------------------|---------------------|---|
| Warren St             | East        | M -Th                   | 8:00 am to 10:00 am | <u>Second</u> [First] St to Columbus Dr |
|                       | West        | Tu - F                  | 8:00 am to 10:00 am |   |
|                       | East        | M - Th                  | 6:00 am to 8:00 am  | Columbus Dr to Montgomery St            |
|                       | West        | Tu - F                  | 6:00 am to 8:00 am  |   |
|                       | East        | M -Th                   | 8:00 am to 10:00 am | Montgomery St to Grand St               |
|                       | West        | Th - F                  | 8:00 am to 10:00 am |   |
|                       | West        | M -Th                   | 1:00 pm to 3:00 pm  | Grand St to southern terminus           |
|                       | East        | Tu - F                  | 1:00 pm to 3:00 pm  |   |

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  - This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
  - This Ordinance shall take effect at the time and in the manner as provided by law.
  - The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.
- NOTE: All new material to be inserted is underscored; material to be repealed is in [brackets].

AV:pcl  
(11.14.17)

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

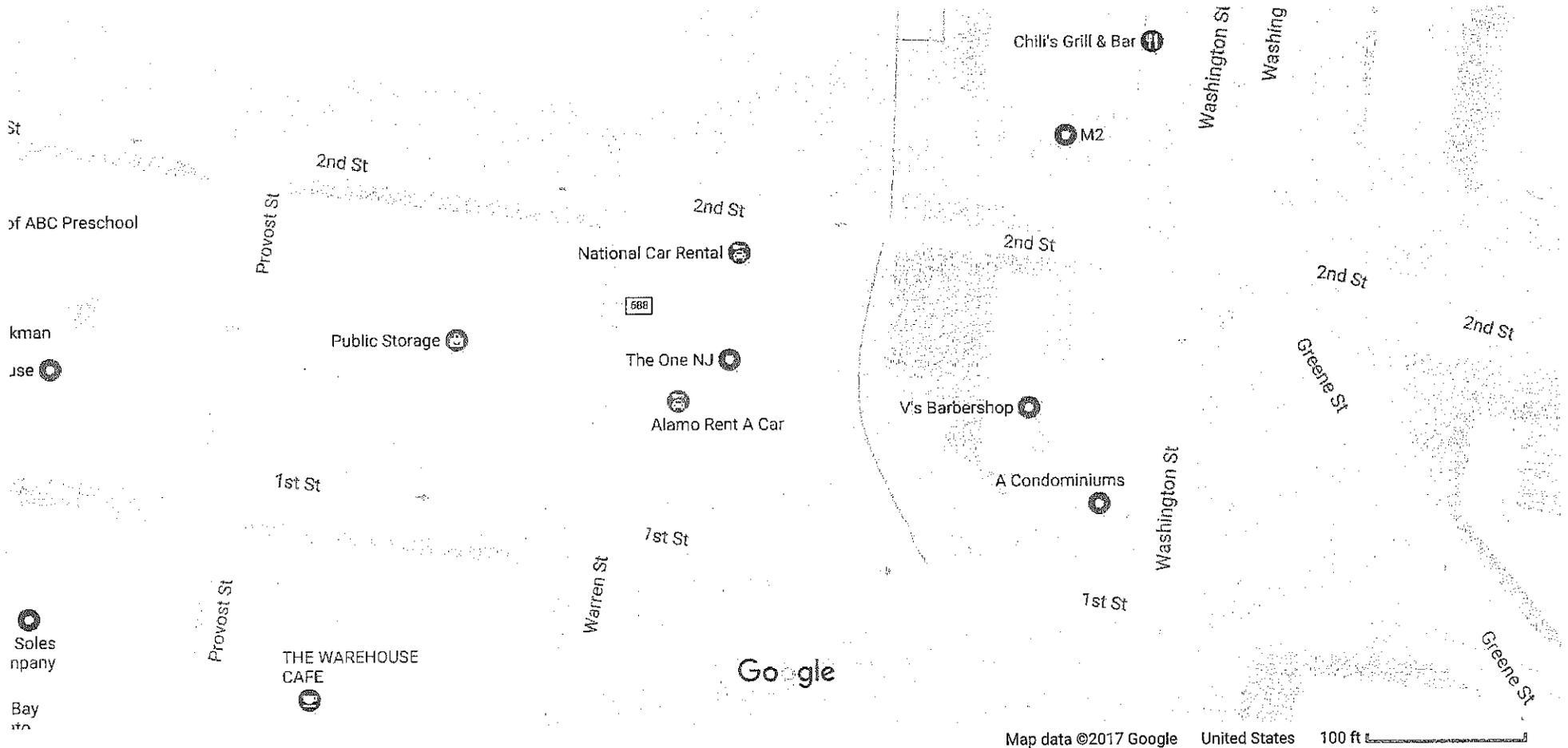
Certification Required

Not Required

APPROVED: \_\_\_\_\_  
Director of Traffic & Transportation

APPROVED: \_\_\_\_\_  
Municipal Engineer

APPROVED: \_\_\_\_\_  
Business Administrator



**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance**

**AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE XIII (PARKING, STANDING AND STOPPING) SECTION 332-31 (PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES) EXTENDING THE PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES ON WARREN STREET, ONE BLOCK NORTH TO SECOND STREET**

**Initiator**

|                     |                      |   |
|---------------------|----------------------|---|
| Department/Division | Administration       | Engineering, Traffic and Transportation |
| Name/Title          | Andrew Vischio, P.E. | Director of Traffic & Transportation    |
| Phone/email         | 201.547.4419         | AVischio@jcnj.org                       |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

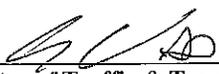
**Ordinance Purpose**

This Ordinance has been proposed to extend the parking restrictions for street cleaning purposes on Warren Street one block north from First Street to Second Street. The parking restriction will be on the East side: Monday & Thursday, 8:00 a.m. to 10:00 a.m. and on the west side: Tuesday & Friday, 8:00 a.m. to 10:00 a.m.

This extension has been authorized by the Division of Sanitation, Department of Public Works.

Warren Street between First Street and Second Street is already a part of Zone 4 Residential Permit Parking.

I certify that all the facts presented herein are accurate.

  
\_\_\_\_\_  
Director of Traffic & Transportation

11/14/17  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Department Director

\_\_\_\_\_  
Date

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-161  
 TITLE: 3.B Nov 29 2017 4.B **DEC 13 2017**

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XIII (Parking, Standing and Stopping) Section 332-31 (Parking Restrictions for Street Cleaning Purposes) extending the parking restrictions for street cleaning purposes on Warren Street, one block north to Second Street.

| RECORD OF COUNCIL VOTE ON INTRODUCTION |     |     |      |               |     |     |      |                |     |        |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|--------|------|
| COUNCILPERSON                          | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY    | N.V. |
| GAJEWSKI                               | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |        |      |
| GADSDEN                                | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      |     | ABSENT |      |
| BOGGIANO                               | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |        |      |

**NOV 29 2017 8-0**

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING |     |     |      |               |     |        |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|--------|------|----------------|-----|-----|------|
| COUNCILPERSON                                  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY    | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI                                       | ✓   |     |      | YUN           |     | ABSENT |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |        |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO                                       | ✓   |     |      | ROBINSON      | ✓   |        |      | LAVARRO, PRES. | ✓   |     |      |

**DEC 13 2017 8-0**

Councilperson OSBORNE moved, seconded by Councilperson GADSDEN to close P.H.

✓ Indicates Vote

N.V.--Not Voting (Abstain)

**SPEAKERS:**

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                                | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI                                     |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN                                      |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO                                     |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

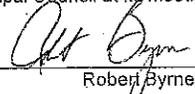
| RECORD OF FINAL COUNCIL VOTE |     |     |      |               |     |     |      |                |     |     |      |
|------------------------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI                     | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN                      | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO                     | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

**DEC 13 2017 9-0**

✓ Indicates Vote

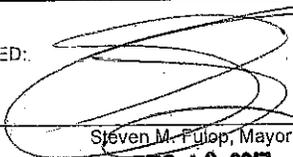
N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
 Adopted on second and final reading after hearing on **DEC 13 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**  
  
 Robert Byrne, City Clerk

APPROVED:   
 Rolando R. Lavarro, Jr., Council President

\*Amendment(s):

Date \_\_\_\_\_  
 APPROVED:   
 Steven M. Fulop, Mayor  
**DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-163

Agenda No. 3.D 1st Reading

Agenda No. 4.C. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

### CITY ORDINANCE 17-163

**TITLE:** AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 203-205 ARLINGTON AVENUE; 308-310 ARLINGTON AVENUE; 127 ARMSTRONG AVENUE; 128-126 BARTHOLDI AVENUE; 168 BARTHOLDI AVENUE; 390 BALDWIN AVENUE; 154 BAYVIEW AVENUE; 167 BEACON AVENUE; 172 BEACON AVENUE; 376 BERGEN AVENUE; 29 BIDWELL AVENUE; 140-142 BIDWELL AVENUE; 30 BLEECKER STREET; 222 BOWERS STREET; 131-133 BOYD AVENUE; 200 BOYD AVENUE; 137-139 BRUNSWICK STREET; 289-291 CATOR AVENUE; 38 CENTER STREET; 126 CHARLES STREET; 188 CLENDENNY AVENUE; 79 COLGATE STREET; 24 CONCORD STREET; 222 DANFORTH AVENUE; 210 EIGHTH STREET; 106 GLENWOOD AVENUE; 201 GRIFFITH STREET; 404 GROVE STREET; 140 HOPKINS AVENUE; 132 KEARNEY AVENUE; 269 LIBERTY AVENUE; 35 McADOO AVENUE; 167 MALLORY AVENUE; 464-466 MERCER STREET; 547 MONTGOMERY STREET; 147 MYRTLE AVENUE; 49-49A NEWKIRK STREET; 250 NEW YORK AVENUE; 64-66 OAK STREET; 196 ORIENT AVENUE; 364-366 RANDOLPH AVENUE; 68 RESERVOIR AVENUE; 45 RIVER DRIVE SOUTH; 422 ST. PAUL'S AVENUE; 194-196 SEAVIEW AVENUE; 200 SOUTH STREET; 30 STEGMAN PLACE; 104 STEGMAN STREET; 59 STEVENS AVENUE; 39 STUYVESANT AVENUE; 97 TERHUNE AVENUE; 90-88 THORNE STREET; 96 THORNE STREET; 88 TUERS AVENUE; 365 UNION STREET; 156 VAN HORNE STREET; 202-204 VAN NOSTRAND AVENUE; 6-8 WEGMAN COURT; 446 WEST SIDE AVENUE AND 13 YALE AVENUE AND AMENDING THE RESERVED PARKING SPACE AT 295 CHAPEL AVENUE AND 198 WOODWARD STREET AND REPEAL THE RESERVED PARKING SPACE AT 177 BOYD AVENUE; 318 PACIFIC AVENUE; 90-88 THORNE STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code is hereby supplemented as follows:

Section 332-29 Disabled Parking Manual

Section 332-69 Restricted parking zones in front of or near residences of disabled drivers.

#### PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

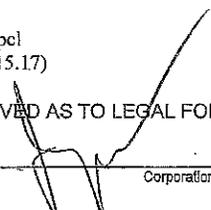
|                         |  |
|-------------------------|--|
| <u>Carmen Martinez</u>  | <u>203-205 Arlington Av</u>            |
| <u>Tara Brooks</u>      | <u>308-310 Arlington Av</u>            |
| <u>Gloria Jackson</u>   | <u>127 Armstrong Av</u>                |
| <u>Iris Case</u>        | <u>390 Baldwin Av</u>                  |
| <u>Harriette Harris</u> | <u>128-126 Bartholdi Av</u>            |
| <u>James Daniels</u>    | <u>168 Bartholdi Av</u>                |
| <u>Delores Lockett</u>  | <u>154 Bayview Av</u> [318 Pacific Av] |
| <u>Delores Conklin</u>  | <u>167 Beacon Av</u>                   |
| <u>Marie Duffy</u>      | <u>172 Beacon Av</u>                   |
| <u>Maggie Manson</u>    | <u>376 Bergen Av</u>                   |
| <u>Glenn Chester</u>    | <u>29 Bidwell Av</u>                   |
| <u>Roberta Robinson</u> | <u>140-142 Bidwell Av</u>              |
| <u>Angelo Morales</u>   | <u>30 Bleecker St</u>                  |

|                                 |                                |
|---------------------------------|--------------------------------|
| <u>Ahmed Rady</u>               | <u>222 Bowers St</u>           |
| <u>Mina Gregory</u>             | [177] <u>131-133 Boyd Av</u>   |
| <u>Corazon Pagador</u>          | <u>200 Boyd Av</u>             |
| <u>Jose Gierbolini</u>          | <u>137-139 Brunswick St</u>    |
| <u>Nermeen Nimr</u>             | <u>289-291 Cator Av</u>        |
| <u>Joseph DSouza</u>            | <u>38 Center St</u>            |
| <u>Cheryl [Robert] Carswell</u> | <u>295 Chapel Av</u>           |
| <u>Yeidy Santana</u>            | <u>126 Charles St</u>          |
| <u>Nabil Aziz</u>               | <u>188 Clendenny Av</u>        |
| <u>Jean Kelly</u>               | <u>79 Colgate St</u>           |
| <u>Alejo Moran</u>              | <u>24 Concord St</u>           |
| <u>Mounir Youssef</u>           | <u>222 Danforth Av</u>         |
| <u>Karen Scala</u>              | <u>210 Eighth St</u>           |
| <u>Abdel Ali</u>                | <u>106 Glenwood Av</u>         |
| <u>Yandry Romero</u>            | <u>201 Griffith St</u>         |
| <u>Ismael Vasquez</u>           | <u>404 Grove St</u>            |
| <u>Ana-Delmy Salmeron</u>       | <u>140 Hopkins Av</u>          |
| <u>Sarah Ballon</u>             | <u>132 Kearney Av</u>          |
| <u>Jesus Guzman</u>             | <u>269 Liberty Av</u>          |
| <u>Luke Lebron</u>              | <u>35 McAdoo Av</u>            |
| <u>James McBride</u>            | <u>167 Mallory Av</u>          |
| <u>Jennifer Agostini</u>        | <u>464-466 Mercer St</u>       |
| <u>Paul Fuller</u>              | <u>547 Montgomery St</u>       |
| <u>Viegie Lindsey</u>           | <u>147 Myrtle Av</u>           |
| <u>Edison A. Carrera</u>        | <u>49-49A Newkirk St</u>       |
| <u>Eugen and Karen Mjartan</u>  | <u>250 New York Av</u>         |
| <u>Veronica Sanders</u>         | <u>64-66 Oak St</u>            |
| <u>Fayyaz Hussain</u>           | <u>196 Orient Av</u>           |
| <u>Roosevelt Chavis</u>         | <u>364-366 Randolph Av</u>     |
| <u>Margaret Curry</u>           | <u>68 Reservoir Av</u>         |
| <u>Kenneth Iversen</u>          | <u>45 River Dr So</u>          |
| <u>Anthony Schiovone</u>        | <u>422 St. Paul's Av</u>       |
| <u>Scherlie Alexandre</u>       | <u>194-196 Seaview Av</u>      |
| <u>William Reineman</u>         | <u>200 South St</u>            |
| <u>Frank Sielski</u>            | <u>30 Stegman Pl</u>           |
| <u>Jacquen Walton</u>           | <u>104 Stegman St</u>          |
| <u>Brian Tiagha</u>             | <u>59 Stevens Av</u>           |
| <u>Joseph Miller</u>            | <u>39 Stuyvesant Av</u>        |
| <u>Charlotte King</u>           | <u>97 Terhune Av</u>           |
| <u>David Wood</u>               | <u>90-88 Thorne St</u>         |
| <u>Lorraine Zadroga</u>         | [88-90] <u>96 Thorne St</u>    |
| <u>Marianne Esposito</u>        | <u>88 Tuers Av</u>             |
| <u>Al Quintos</u>               | <u>365 Union St</u>            |
| <u>Ada Rodriguez</u>            | <u>156 Van Horne St</u>        |
| <u>Mattie Stephens</u>          | <u>202-204 Van Nostrand Av</u> |
| <u>Jason Dabney</u>             | <u>6-8 Wegman Ct</u>           |
| <u>Moe Elgindy</u>              | <u>446 West Side Av</u>        |
| <u>Lula [Thomas] Cornick</u>    | <u>198 Woodward St</u>         |
| <u>Antonia Vazquez</u>          | <u>13 Yale Av</u>              |

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
  4. This ordinance shall take effect at the time and in the manner as prescribed by law.
  5. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.
- NOTE: All new material to be inserted is underscored; material to be repealed is in [brackets].

AV:pcj  
(11.15.17)

APPROVED AS TO LEGAL FORM

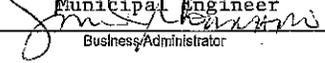
  
\_\_\_\_\_  
Corporation Counsel

Certification Required

Not Required

APPROVED:   
\_\_\_\_\_  
Director of Traffic & Transportation

APPROVED:   
\_\_\_\_\_  
Municipal Engineer

APPROVED:   
\_\_\_\_\_  
Business Administrator

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 203-205 ARLINGTON AVENUE; 308-310 ARLINGTON AVENUE; 127 ARMSTRONG AVENUE; 128-126 BARTHOLDI AVENUE; 168 BARTHOLDI AVENUE; 390 BALDWIN AVENUE; 154 BAYVIEW AVENUE; 167 BEACON AVENUE; 172 BEACON AVENUE; 376 BERGEN AVENUE; 29 BIDWELL AVENUE; 140-142 BIDWELL AVENUE; 30 BLEECKER STREET; 222 BOWERS STREET; 131-133 BOYD AVENUE; 200 BOYD AVENUE; 137-139 BRUNSWICK STREET; 289-291 CATOR AVENUE; 38 CENTER STREET; 126 CHARLES STREET; 188 CLENDENNY AVENUE; 79 COLGATE STREET; 24 CONCORD STREET; 222 DANFORTH AVENUE; 210 EIGHTH STREET; 106 GLENWOOD AVENUE; 201 GRIFFITH STREET; 404 GROVE STREET; 140 HOPKINS AVENUE; 132 KEARNEY AVENUE; 269 LIBERTY AVENUE; 35 McADOO AVENUE; 167 MALLORY AVENUE; 464-466 MERCER STREET; 547 MONTGOMERY STREET; 147 MYRTLE AVENUE; 49-49A NEWKIRK STREET; 250 NEW YORK AVENUE; 64-66 OAK STREET; 196 ORIENT AVENUE; 364-366 RANDOLPH AVENUE; 68 RESERVOIR AVENUE; 45 RIVER DRIVE SOUTH; 422 ST. PAUL'S AVENUE; 194-196 SEAVIEW AVENUE; 200 SOUTH STREET; 30 STEGMAN PLACE; 104 STEGMAN STREET; 59 STEVENS AVENUE; 39 STUYVESANT AVENUE; 97 TERHUNE AVENUE; 90-88 THORNE STREET; 96 THORNE STREET; 88 TUERS AVENUE; 365 UNION STREET; 156 VAN HORNE STREET; 202-204 VAN NOSTRAND AVENUE; 6-8 WEGMAN COURT; 446 WEST SIDE AVENUE AND 13 YALE AVENUE AND AMENDING THE RESERVED PARKING SPACE AT 295 CHAPEL AVENUE AND 198 WOODWARD STREET AND REPEALING THE RESERVED PARKING SPACE AT 177 BOYD AVENUE; 318 PACIFIC AVENUE; 90-88 THORNE STREET

**Initiator**

|                     |   |   |
|---------------------|---|---|
| Department/Division | Administration  | Engineering, Traffic and Transportation |
| Name/Title          | Andrew Vischio, P.E. on behalf of Councilwoman Watterman, Chairwoman for the Municipal Council Committee for Disabled Parking | Director of Traffic & Transportation    |
| Phone/email         | 201.547.4419  | AVischio@jcnj.org                       |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

Designate, Repeal and/or amend a reserved parking space at various locations throughout the City.

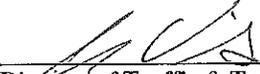
These applications are an accumulation of applications submitted since May, those that had been denied initially and on appeal approved or were approved after receiving additional transport and/or medical information.

All applicants have been approved for a reserved parking space by the Municipal Council Committee for Disabled Parking.

This Ordinance designates 60 reserved parking spaces, amends 2 and relocates 3.

Since the last set of applications approved in May approximately 74 reserved parking spaces have been removed. (There are currently 15 locations still pending review as to whether they should remain.)

I certify that all the facts presented herein are accurate.

  
\_\_\_\_\_  
Director of Traffic & Transportation

11/16/17  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Department Director

\_\_\_\_\_  
Date

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-163  
 TITLE: 3.D NOV 29 2017 4.C DEC 13 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 203-205 Arlington Avenue; 308-310 Arlington Avenue; 127 Armstrong Avenue; 128-126 Bartholdi Avenue; 168 Bartholdi Avenue; 390 Baldwin Avenue; 154 Bayview Avenue; 167 Beacon Avenue; 172 Beacon Avenue; 376 Bergen Avenue; 29 Bidwell Avenue; 140-142 Bidwell Avenue; 30 Bleecker Street; 222 Bowers Street; 131-133 Boyd Avenue; 200 Boyd Avenue; 137-139 Brunswick Street; 289-291 Caion Avenue; 38 Center Street; 126 Charles Street; 188 Clendenny Avenue; 79 Colgate Street; 24 Concord Street; 222 Danforth Avenue; 210 Eighth Street; 106 Glenwood Avenue; 201 Griffith Street; 404 Grove Street; 140 Hopkins Avenue; 132 Kearney Avenue; 269 Liberty Avenue; 35 McAadoo Avenue; 167 Mallory Avenue; 464-466 Mercer Street; 547 Montgomery Street; 147 Myrtle Avenue; 49-49a Newkirk Street; 250 New York Avenue; 64-66 Oak Street; 196 Orient Avenue; 364-366 Randolph Avenue; 68 Reservoir Avenue; 45 River Drive South; 422 St. Paul's Avenue; 194-196 Seaview Avenue; 200 South Street; 30 Stegman Place; 104 Stegman Street; 59 Stevens Avenue; 39 Stuyvesant Avenue; 97 Terhune Avenue; 90-88 Thorne Street; 96 Thorne Street; 88 Tuers Avenue; 365 Union Street; 156 Van Horne Street; 202-204 Van Nostrand Avenue; 6-8 Wegman Court; 446 West Side Avenue and 13 Yale Avenue and amending the reserved parking Space at 295 Chapel Avenue and 198 Woodward Street and repeal the reserved parking space at 177 Boyd Avenue; 318 Pacific Avenue; 90-88 Thorne Street.

**RECORD OF COUNCIL VOTE ON INTRODUCTION** **NOV 29 2017 8-0**

| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
|---------------|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| GAJEWSKI      | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN       | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO      | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

**RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING** **DEC 13 2017 8-0**

Councilperson OSBORNE moved, seconded by Councilperson GADSDEN to close P.H.

| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE    | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
|---------------|-----|-----|------|---------------|--------|-----|------|----------------|-----|-----|------|
| GAJEWSKI      | ✓   |     |      | YUN           | ABSENT |     |      | RIVERA         | ✓   |     |      |
| GADSDEN       | ✓   |     |      | OSBORNE       | ✓      |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO      | ✓   |     |      | ROBINSON      | ✓      |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

**RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY**

| Councilperson |     |     |      | moved to amend* Ordinance, seconded by Councilperson |     |     |      | & adopted      |     |     |      |
|---------------|-----|-----|------|--|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI      |     |     |      | YUN  |     |     |      | RIVERA         |     |     |      |
| GADSDEN       |     |     |      | OSBORNE  |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO      |     |     |      | ROBINSON   |     |     |      | LAVARRO, PRES. |     |     |      |

**RECORD OF FINAL COUNCIL VOTE** **DEC 13 2017 9-0**

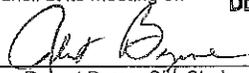
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
|---------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| GAJEWSKI      | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN       | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO      | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
 Adopted on second and final reading after hearing on **DEC 13 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

  
 Robert Byrne, City Clerk

APPROVED:   
 Rolando R. Lavarro, Jr., Council President

Date **DEC 13 2017**

APPROVED:   
 Steven M. Fulop, Mayor

Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

\*Amendment(s):

City Clerk File No. Ord. 17-164

Agenda No. 3.E 1st Reading

Agenda No. 4.D. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-164

**TITLE: ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO RENEW THE LEASES OF BLOCK 389, LOTS 19 AND 20 (174-176 BRUNSWICK STREET); BLOCK 1409, LOT P (81 GARFIELD AVENUE); BLOCK 3002, LOT 2 (285 OGDEN AVENUE); BLOCK 5202, LOTS 28 AND 29 (105 OGDEN AVENUE); BLOCK 12904, LOT 1 (280 GROVE STREET) AND BLOCK 1905, LOT 36 (447 MARTIN LUTHER KING, JR. DRIVE) AS PART OF THE CITY'S ADOPT-A-LOT COMMUNITY GARDEN PROGRAM**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, the City of Jersey City ("the City") is a Municipal Corporation of the State of New Jersey, with offices located at City Hall, 280 Grove Street in Jersey City; and

**WHEREAS**, the City is authorized to enter into lease agreements for nominal consideration with non-profit corporations for the use of vacant lots and open spaces for gardening or recreation purposes pursuant to N.J.S.A. 40 A:12-14(c) and N.J.S.A. 40 A:12-15(j); and

**WHEREAS**, the City adopted Ordinance 96-123, subsequently amended by Ordinances 01-109 and 11-019, which authorized the establishment of an "Adopt A Lot" Program; and

**WHEREAS**, the City owns the following lots: Block 389, Lots 19 and 20 on the official tax map of the City, and which is more commonly known as 174-176 Brunswick Street; Block 1409, Lot P on the official tax map of the City and which is more commonly known as 81 Garfield Avenue; Block 3002, Lot 2 on the official tax map of the City and which is more commonly known as 285 Ogden Avenue; Block 5202, Lots 28 and 29 on the official tax map of the City and which is more commonly known as 105 Ogden Avenue; Block 12904, Lot 1 on the official tax map of the City and which is more commonly known as 280 Grove Street and Block 1905, Lot 36 on the official tax map of the City and which is more commonly known as 447 Martin Luther King, Jr. Drive; and

**WHEREAS**, in the last year, these parcels of land were used as community gardens and the transformation of these parcels into community gardens has dramatically improved and enhanced the surrounding neighborhoods; and

**WHEREAS**, Jersey City Community Gardening Inc., Can You Dig It Community Garden Inc., Riverview Neighborhood Association, Inc., Jersey City Moms Met-Up Group, Inc. and the Union Street Block Association, Inc. are all non-profit corporations heretofore known collectively as "the Lessees" who are currently leasing these parcels of land from the City pursuant to the City's "Adopt A Lot Program"; and

**WHEREAS**, Jersey City Community Gardening Inc. wishes to renew its lease on Block 389, Lots 19 and 20 on the official tax map of the City and which is more commonly known as 174-176 Brunswick Street in order to maintain a community garden thereon; and

**WHEREAS**, Can You Dig It Community Garden Inc. wishes to renew its lease on Block 1409, Lot P on the official tax map of the City and which is more commonly known as 81 Garfield Avenue in order to maintain a community garden thereon; and

**WHEREAS**, Riverview Neighborhood Association, Inc. wishes to renew its leases on Block 3002, Lot 2 on the official tax map of the City and which is more commonly known as 285 Ogden Avenue and Block 5202, Lots 28 and 29 on the official tax map of the City and which is more commonly known as 105 Ogden Avenue in order to maintain a community garden thereon; and

**WHEREAS**, Jersey City Moms Met-Up Group, Inc. wishes to renew its lease on Block 12904, Lot 1 on the official tax map of the City and which is more commonly known as 280 Grove Street and Block 1905 in order to maintain a community garden thereon; and

**WHEREAS**, Union Street Block Association, Inc. wishes to renew its lease on Lot 36 on the official tax map of the City and which is more commonly known as 447 Martin Luther King, Jr. Drive; in order to maintain a community garden thereon; and

**WHEREAS**, the Lessees understand that the properties leased to non-profit corporations or associations participating in the City's "Adopt a Lot" program are to be used for gardening and for no other purpose whatsoever and in particular may not be used for any commercial, business trade, manufacture, wholesale, retail or any other profit-making enterprises; and

**WHEREAS**, the Lessees also understand that they must submit an annual report to the officer, employee or agency designated by the governing body, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to both State and Federal law; and

**WHEREAS**, the current leases are set to expire on December 31, 2017;

**WHEREAS**, the lease term for all the parcels referenced here will be for one (1) year beginning January 1, 2018 and ending December 31, 2018 subject to the City's right to terminate the lease at its convenience without cause by providing ninety (90) days prior notice; and

**WHEREAS**, the consideration for the lease shall be one dollar (\$1.00); and

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

1. The Business Administrator is hereby authorized to execute leases of Block 389, Lots 19 and 20 on the official tax map of the City and which is more commonly known as 174-176 Brunswick Street; Block 1409, Lot P on the official tax map of the City and which is more commonly known as 81 Garfield Avenue; Block 3002, Lot 2 on the official tax map of the City and which is more commonly known as 285 Ogden Avenue; Block 5202, Lots 28 and 29 on the official tax map of the City and which is more commonly known as 105 Ogden Avenue; Block 12904, Lot 1 on the official tax map of the City and which is more commonly known as 280 Grove Street and Block 1905, Lot 36 on the official tax map of the City and which is more commonly known as 447 Martin Luther King, Jr. Drive for the purpose of maintaining community gardens thereon through the City's "Adopt-A-Lot Program".
2. The term of the Lease Agreement shall be one (1) year beginning January 1, 2018 and terminating December 31, 2018 and the consideration shall be one dollar (\$1.00).

3. The form of the Lease is attached hereto As Exhibit "A" and shall be subject to any such modification as may be deemed necessary or appropriate by the Corporation Counsel or Business Administrator.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

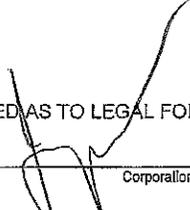
C. This ordinance shall take effect at the time and in the manner provided by law.

D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All new material is underlined; words in ~~{brackets}~~ are omitted.  
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

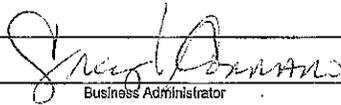
JH/he  
11/14/17

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED:

APPROVED:

  
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required

3. The form of the Lease is attached hereto As Exhibit "A" and shall be subject to any such modification as may be deemed necessary or appropriate by the Corporation Counsel or Business Administrator.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner provided by law.

D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All new material is underlined; words in ~~[brackets]~~ are omitted.  
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

JJH/he  
11/14/17

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required

Not Required

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

**Full Title of Ordinance**

AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO RENEW THE LEASES OF BLOCK 389, LOTS 19 AND 20 (174-176 BRUNSWICK STREET); BLOCK 1409, LOT P (81 GARFIELD AVENUE); BLOCK 3002, LOT 2 (285 OGDEN AVENUE); BLOCK 5202, LOTS 28 AND 29 (105 OGDEN AVENUE); BLOCK 12904, LOT 1 (280 GROVE STREET) AND BLOCK 1905, LOT 36 (447 MARTIN LUTHER KING, JR. DRIVE) AS PART OF THE CITY'S ADOPT-A-LOT COMMUNITY GARDEN PROGRAM

**Initiator**

|                            |                         |                    |
|----------------------------|-------------------------|--------------------|
| <b>Department/Division</b> | Health & Human Services |                    |
| <b>Name/Title</b>          | Stacey L. Flanagan      | Director           |
| <b>Phone/email</b>         | 201-547-6800            | sflanagan@jenj.org |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

Pursuant to the adopt a lot program, this Ordinance renews the leases for 174-176 Brunswick Street; 81 Garfield Avenue; 285 Ogden Avenue; 105 Ogden Avenue; 280 Grove Street & 447 MLK Drive for an additional year.

I certify that all the facts presented herein are accurate.



Stacey L. Flanagan  
Director

November 13, 2017

Date

# EXHIBIT A



## **ADOPT-A-LOT LEASE**

This Lease is issued by the City of Jersey City "City" to \_\_\_\_\_ ("Lessee") with offices located at \_\_\_\_\_ for the operation of an Adopt-A-Lot Garden located at \_\_\_\_\_ (address) on Block \_\_\_\_\_ and Lot(s) \_\_\_\_\_ ("the Garden"). This Lease shall be administered jointly by the Department of Health and Human Services ("HHS") and the Department of Public Works ("DPW") through the Adopt-A-Lot Program Officer ("Officer"), with an office located at 199 Summit Avenue, Jersey City, New Jersey 07306.

### **1. Term**

This Lease is issued to Lessee for a term (the "Term") of one (1) year beginning January 1, 2018 and ending December 31, 2018 unless terminated earlier. The Lease may be renewed by the Municipal Council upon the recommendation of the Adopt-A-Lot Program Officer provided that the Lessee meets the obligations set forth in this Lease.

### **2. Notices and Contact Person**

All correspondence, including notices of non-compliance, shall be sent to the person designated as the "Contact Person" by the Lessee.

**Lessee:** \_\_\_\_\_

**Contact Person for Lessee:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Telephone numbers:**

**Day:** \_\_\_\_\_

**Evening:** \_\_\_\_\_

**Weekend:** \_\_\_\_\_

**Email address:** \_\_\_\_\_

Lessee shall promptly notify the Adopt-A-Lot Program Officer of any change in the contact information provided above. Notice to the listed Contact Person shall be deemed notice to the Lessee.

### **3. Obligations of Lessee/Use of Premises**

A. This Lease is specifically entered into for the purpose of Lessee's designing and cultivating a plant garden and thereafter maintaining that garden and all plants and structures contained therein (including, but not limited to, the City-supplied shed, all the tools contained therein, any fence, raised plant beds, planters, tables, benches, and other ornamental items) in a safe and orderly condition.

- i. Before entering in to a Lease, the prospective Lessee shall notify the Adopt-A-Lot Program Officer to arrange for an inspection the premises for the purpose of locating, and, if feasible, removing any dangerous debris, undergrowth, garbage, or other dangerous materials. If the Adopt-A-Lot Program Officer determines that a dangerous condition exists on the premises that cannot be remedied at a cost deemed reasonable by the Adopt-A-Lot Program Officer, then the City shall refuse to consummate the Lease.
- ii. If a Lease is executed, the Lessee agrees to take possession of the following City-owned equipment for the exclusive use of the Lessee during the duration of the Lease. This equipment shall remain on the leased property at all times and shall be returned to the City in reasonably good condition at the expiration of the Lease.

One (1) Garden Shed which will contain the following:

- One (1) Wheelbarrow
- Five (5) Poly leaf rakes
- Five (5) Garden spades (20 inch)
- Five (5) Garden shears (5.5 inch)
- Five (5) Hand-held gardening forks
- Five (5) Pitchforks
- Five (5) Hand-held trowels (steel)
- Five (5) Hand-held garden cultivators
- Five (5) Loppers (28 inch)
- Five (5) Pairs of gardening gloves

B. Within two months of the issuance of this Lease, or sooner if applicable, Lessee agrees to do the following:

- a. At least two representatives, one being the Contact Person, shall attend an educational workshop, and shall submit proof of such attendance to Adopt-A-Lot Program Officer.

- b. Lessee shall post a sign provided by DPW at the Garden explaining that the Garden is a part of the Adopt-A-Lot Program.
  - c. Lessee shall register the Garden with the City's Adopt-A-Lot Jersey City online Green Map.
- C. Within six months of the issuance of this Lease, or sooner if applicable, Lessee agrees to the following:
- a. Lessee shall design and install a plant garden.
  - b. Lessee shall nurture and develop the plants in the Garden, including watering, fertilizing, pruning, weeding, and harvesting as required. Any spray or liquid fertilizers or herbicides must be approved by DPW, and notice given to DPW prior to application. DPW reserves the right to determine and prohibit an environmentally harmful fertilizer or herbicide.
  - c. Gardens are required to post signage listing open hours, a schedule of planned activities, and information on how to join the garden, along with the name and telephone number of the Lessee's contact person and/or the Officer.
  - d. Lessee shall open the Garden to the public, as required by Section 8.
  - e. Lessee shall make gardening plots available to the public on a first come first serve basis, through the use of a waiting list to be posted at the Garden.
- D. Upon execution of the Lease, the Lessee agrees to the following:
- a. Lessee shall maintain the Garden in a safe condition and take care of all plants and structures contained therein, including all fences, raised beds, tables, benches, and ornamental items.
  - b. Lessee shall keep sidewalks, passageways, and curbs adjacent to and within the Garden clean and free from snow, ice, garbage, debris, and other obstructions.
  - c. Lessee shall comply with all applicable laws, rules, and regulations of the United States, the State of New Jersey, and the City of Jersey City, and with other such rules, regulations, orders, terms and conditions as may be set or required by the Adopt-a-Lot program to the extent that they relate to the gardening activities under this Lease or are otherwise applicable to the Lease.
  - d. Lessee shall arrange for the provision of, and pay for any utilities, with the exception of water, necessary for the performance of the activities described herein; provided

however that Lessee shall neither cause nor permit the installation of any such utilities without the prior written approval of the Adopt-A-Lot Program Officer.

- e. Provide two reports each year to the Adopt-A-Lot Program Officer, one in June and one in December, containing the current status of the Garden including, but not limited to, a current color photo, a list of current Garden members, and any current concerns or problems that the Lessee believes the Adopt-A-Lot Program Officer should be made aware of or a problem fulfilling any of the requirements specified in this lease.
- f. Lessee shall continually update City's Adopt-A-Lot Jersey City online Green Map with all events, fundraisers, and public hours.
- g. Lessee shall participate in an annual "Green Your Block" program. Lessee shall notify the Adopt-A-Lot Program Officer with the date and time of the event, as well as post notice of the event at the Garden and on the City's Adopt-A-Lot Jersey City online Green Map.
- h. Lessee shall notify the to the Adopt-A-Lot Program Officer of any administrative or operational matters constituting any loss, injury, damage or violation within the garden within three days of such occurrence by contacting the to the Adopt-A-Lot Program Officer.

#### **4. Restrictions on Lessee**

Lessee agrees to the following restriction on the use of the Garden:

- A. No permanent improvements on the Garden. This prohibition includes but is not limited to paving the Garden concrete, asphalt or other materials.
- B. The Lessee shall make no alterations, additions, or improvements to the Garden without the prior written consent of the to the Adopt-A-Lot Program Officer.
- C. No permanent structures or murals or other permanent works of art may be built in the Garden without permission from the Adopt-A-Lot Program Officer, and, where applicable, the DPW, Jersey City Building Department and the Jersey City Division of Cultural Affairs.
- D. No automobiles, trucks, or other motorized vehicles may be stored or parked at any time in the Garden.
- E. There shall be a minimum of five (5) Garden members at all times.
- F. No persons shall be allowed to reside in the Garden.
- G. No animals (including dogs or cats) shall reside in the Garden.

- H. No drugs or alcohol may be used, consumed, stored, sold, or distributed in the Garden.
- I. Garden shall not be used for any commercial purpose (including, but not limited to, the sale or advertisement of any goods or services): provided, however, that the City may allow, with prior notice to the Officer, Fundraising events at the Garden solely for the purposes of supporting the operation of the Garden. No agricultural produce cultivated at the Lot may be grown in the soil. Rather it must be grown in an above-ground pot. All agricultural produce cultivated at the Garden may be sold offsite at a designated Jersey City Farmer's Market.
- J. Lessee shall not create no suffer to be created any nuisance or danger to public safety in or around the Garden. Lessee shall not cause nor permit the accumulation of garbage or debris in the Garden. Lessee shall not commit or cause any waste of or to the Garden.
- K. Lessee shall not sub-let the demised premises for gardening or recreational purposes pursuant to N.J.S.A. 40A12-15(I). Lessee shall not use or permit the premises to be used for any other purpose without the prior written consent of the City endorsed hereon.
- L. Lessee may not discriminate in any way against any person on grounds of race, creed, religion, color, sex, age, national origin, disability, marital status, or sexual orientation.
- M. Lessee may not cause or permit gambling or any activities related to gambling in the Garden, or the use of the Garden for any illegal purpose.
- N. If Lessee ceases to use the property for gardening or recreational purposes, the City shall have the right to terminate the lease upon giving ten (10) days written notice to Lessee prior to the effective date of termination.
- O. Lessee shall not use or permit the storage of any illuminating oils, oil lamps, turpentine, benzene, naphtha, or similar substances or explosives of any kind or any substances or items prohibited in the standard policies of insurance companies in the State of New Jersey.
- P. Lessee shall not abandon the Garden.

##### **5. Failure to Comply with Restriction and Termination**

If Lessee violates any covenant or conditions of this Lease or of the rules established by the City, and upon failure to discontinue such violation within ten (10) days after notice to the Lessee, this Lease shall, at the option of the City, become void. Notwithstanding the above, the City may terminate this Lease without advance notice for any of the following reasons:

1. Use of the Garden for any illegal purpose, including, but not limited to use of drugs, alcohol, gambling, or other illegal activity, or conspiracy to commit same;
2. Creation of danger to the neighborhood, whether through inadequate sanitation, including accumulation of garbage, existence of a fire hazard, or any other condition which may cause harm to the Garden or other persons or property in its vicinity;
3. the City ceases to be the fee owner of the Garden.

The City shall have the right to terminate the Lease at its convenience without cause by giving written notice sixty (60) days prior to the effective date of termination. The City shall have no liability of any nature whatsoever by reason of such termination.

## **6. Access**

- A. Gardens are required to keep their gates open for a minimum of twenty (20) hours per week from the first day of May through and including the thirtieth day of November. This can be achieved through posted open hours, community events, workdays, workshops, and all activities that keep gardens open and accessible to the public. Gardens are required to post signage listing open hours, a schedule of planned activities, information on how to join the Garden, along with the name and telephone number of the Lessee's contact person and the Adopt-A-Lot Program Officer. The Adopt-A-Lot Program Officer may conduct spot checks to see that the required public access is maintained, and if the Garden is not open at the designated time, the City may terminate this Lease.
- B. The City and its representatives, i.e. the DPW, the Police and Fire Departments, and other City agency representatives shall have access to the leased premises at all times for any purpose.

## **7. Return of City Property and Surrender of the Garden**

Lessee shall surrender the premises at the end of the term in as good condition as reasonable use will permit. In the event that the lease is terminated or expires, the Lessee shall remove all temporary improvements installed on the property by the Lessee at its own cost or expense. Lessee shall also return all tools referenced in Section 3(A)(ii) of this Lease and other unused items provided by the City, to DPW within thirty days of receipt of a notice of termination.

If the Lessee shall remain in the premises after the expiration of the term of this Lease without having executed a new written Lease with the City, such holding over shall not constitute a renewal or extension of this Lease. The City may treat the Lessee as one who has not removed at the end of his/her term, and thereupon be entitled to all remedies against the Lessee provided by law in that situation, or the City may elect, at its option, to construe such holding over as a tenancy from month to month, subject to all the terms and conditions of this lease, except as to duration thereof.

**8. Indemnification**

The Lessee shall indemnify and hold the City and its officers, agents and employees harmless from any and all claims or personal injury, and property damage arising out of the Lessee's occupancy and use of the leased premises.

**9. Risk Upon Lessee**

The expenditures for gardening activities to be undertaken at Garden are to be made solely and exclusively at the risk and sole cost and expense of Lessee, and no part thereof is, or shall be, reimbursable by the City for any reason whatsoever. The gardening activities to be performed pursuant to this Lease were not and are not directed by the City, and the City assumes no obligation or responsibility nor shall have any liability, for any expenditure made hereunder.

**10. Modification**

This Lease shall not be modified or extended except in writing and when signed by both the City and Lessee. This instrument shall not be changed orally.

**11. Conflict of Interest**

Lessee warrants that no officer, agent, employee, or representative of the City of Jersey City has received any payment or other consideration for the making of this Lease and that no officer, agent, employee, or representative of the City has any personal financial interest, directly or indirectly, in this Lease.

**12. Assignment**

Lessee shall not sell, assign, mortgage or otherwise transfer, or sublicense any interest or right provided for herein, nor shall this Lessee be transferred by operation of law, it being the purpose and spirit of this agreement to grant this Lessee a privilege solely to the Lessee named herein.

**13. Employees**

All experts, consultants, volunteers or employees of Lessee who are employed by or volunteer their services to Lessee to perform work under this Lease are neither employees of the City nor under contract to the City and Lessee alone is responsible for their work, direction, compensation and personal conduct while engaged under this Lease. Nothing in this Lease shall impose any liability or duty to the City for acts, omissions, liabilities or obligations of Lessee or any person, firm, company, agency, association, corporation or organization engaged by Lessee as expert, consultant, independent contractor, specialist, trainee, employee, servant, or agent of for taxes of any nature including but not limited to unemployment insurance, workers' compensation, disability benefits and social security.

**12. Waiver, Release and Consent Agreement**

Prior to accessing or using the land, equipment or facilities provided, Lessee agrees to sign the "JERSEY CITY ADOPT-A-LOT WAIVER AND RELEASE OF LIABILITY/MEDICAL AUTHORIZATION & CONSENT" agreement provided by the City. Failure to do so constitutes

a breach of this Agreement and, in particular, voids the promise by the City to indemnify Lessee as described in Section 8.

**13. Representation**

This lease contains the entire contract between the parties. No representative, agent, or employee of the City has been authorized to make any representations or promises with reference to the

within letting or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof shall be binding unless reduced to writing and signed by the Landlord and Tenant.

**12. Severability**

If any provision(s) of this Lease is held unenforceable for any reason, each and all other provision(s) shall nevertheless remain in full force and effect.

**13. Choice of Law**

This agreement shall be governed by and constructed in accordance with the laws of the State of New Jersey. Any dispute arising under or in connection with this agreement or related to any matter which is the subject of this agreement shall be subject to the exclusive jurisdiction of the State and/or Federal courts located in New Jersey.

**IN WITNESS WHEREOF**, the parties hereto have cause this to be signed and sealed.

**THE CITY OF JERSEY CITY**

\_\_\_\_\_

**ATTEST:** \_\_\_\_\_

**ROBERT J. KAKOLESKI  
BUSINESS ADMINISTRATOR**

**CITY CLERK**

**DATE:** \_\_\_\_\_

**LESSEE**

\_\_\_\_\_

**ATTEST:** \_\_\_\_\_

**AUTHORIZING OFFICIAL/TITLE**

**DATE:** \_\_\_\_\_

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-164  
 TITLE: 3.E NOV 29 2017 4.D DEC 13 2017

Ordinance authorizing the City of Jersey City to renew the leases of Block 389, Lots 19 & 20 (174-176 Brunswick Street); Block 1409, Lot P (81 Garfield Avenue); Block 3002, Lot 2 (25 Ogden Avenue); Block 12904, Lot 1 (280 Grove Street) and Block 1905, Lot 36 (447 Martin Luther King Jr., Drive) as part of the City's Adopt-A-Lot Community Garden Program

| RECORD OF COUNCIL VOTE ON INTRODUCTION <b>NOV 29 2017 8-0</b> |     |     |      |               |     |     |      |                |        |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <b>DEC 13 2017 8-0</b>                        |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H. |     |     |      |               |     |     |      |                |        |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ABSENT |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓      |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

*JAYSON BURG*

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <b>DEC 13 2017 9-0</b> |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                                       | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 29 2017  
 Adopted on second and final reading after hearing on DEC 13 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on DEC 13 2017

*Robert Byrne*  
 Robert Byrne, City Clerk

\*Amendment(s):

APPROVED: *[Signature]*  
 Rolando R. Lavarro, Jr., Council President

Date DEC 13 2017

APPROVED: *[Signature]*  
 Steven M. Fulop, Mayor

Date DEC 18 2017

Date to Mayor DEC 14 2017

City Clerk File No. Ord. 17-165

Agenda No. 3.F 1st Reading

Agenda No. 4.E. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-165

TITLE: **ORDINANCE AMENDING CHAPTER 84 (ALCOHOLIC BEVERAGES) ARTICLE I (PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES) SECTION 84-23, OF THE JERSEY CITY MUNICIPAL CODE PERMITTING HOLDERS OF PLENARY RETAIL DISTRIBUTION LICENSES TO SELL ALL ALCOHOLIC BEVERAGES BEGINNING AT 9 A.M. ON SUNDAYS WHENEVER CHRISTMAS EVE (DECEMBER 24<sup>TH</sup>) AND NEW YEAR'S EVE (DECEMBER 31<sup>ST</sup>) FALL ON A SUNDAY**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:**

- A. The following amendments to Chapter 84 (Alcoholic Beverages), Article I (Plenary Retail Consumption and Distribution Licenses) are hereby adopted.

**CHAPTER 84**  
Alcoholic Beverages  
**ARTICLE I**

Plenary Retail Consumption and Distribution Licenses

**§84-1. Through §84-22. No Change.**

**§84-23. Plenary retail distribution licenses; permitted hours of sale.**

- A. The holder of a plenary retail distribution license shall be permitted to sell all alcoholic beverages during the following times only:
- (1) Monday through Saturday, 9:00 a.m. to 10:00 p.m.; and
  - (2) Sunday, 12:00 noon to 10:00 p.m.; provided, however, that whenever Christmas Eve (December 24) and New Year's Eve (December 31th) fall on Sunday, the holders of a plenary retail distribution licenses shall be permitted to sell all alcoholic beverages beginning at 9:00 a.m.
- B. No holder of such a license may sell or offer to sell any alcoholic beverage during any other time.

**§84-23.1. Through §84-35. No Change.**

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.

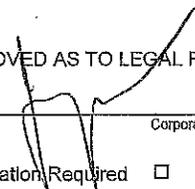
ORDINANCE AMENDING CHAPTER 84 (ALCOHOLIC BEVERAGES) ARTICLE 1 (PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES) SECTION 84-23, OF THE JERSEY CITY MUNICIPAL CODE PERMITTING HOLDERS OF PLENARY RETAIL DISTRIBUTION LICENSES TO SELL ALL ALCOHOLIC BEVERAGES BEGINNING AT 9 A.M. ON SUNDAYS WHENEVER CHRISTMAS EVE (DECEMBER 24<sup>TH</sup>) AND NEW YEAR'S EVE (DECEMBER 31<sup>ST</sup>) FALL ON A SUNDAY

E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

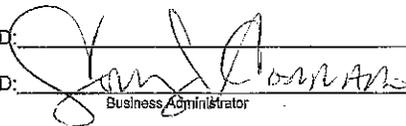
**NOTE:** New material is underlined; deleted matter in ~~brackets~~.  
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

TF/he  
11/20/17

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED:

  
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required

**ORDINANCE FACT SHEET**

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance**

**ORDINANCE AMENDING CHAPTER 84 (ALCOHOLIC BEVERAGES) ARTICLE I (PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES) SECTION 84-23, OF THE JERSEY CITY MUNICIPAL CODE PERMITTING HOLDERS OF PLENARY RETAIL DISTRIBUTION LICENSES TO SELL ALL ALCOHOLIC BEVERAGES BEGINNING AT 9 A.M. ON SUNDAYS WHENEVER CHRISTMAS EVE (DECEMBER 24<sup>TH</sup>) AND NEW YEAR'S EVE (DECEMBER 31<sup>ST</sup>) FALL ON A SUNDAY**

**Initiator**

|                     |                |                     |
|---------------------|----------------|---------------------|
| Department/Division | Law Department | Law                 |
| Name/Title          | Jeremy Farrell | Corporation Counsel |
| Phone/email         | (201) 547-4667 | JFarrell@jcnj.org   |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

This ordinance was prepared at the request of Beattie, Pavano, counsel to Inserra Shoprite, 400 Marin Blvd. In a letter to the Corporation Counsel, the attorneys requested that holders of distribution licenses be permitted to open at 9 am when Christmas Eve and New Year's even fall on a Sunday (rather than 12 noon) because "Christmas Even and New Year's Eve are the two busiest days of the the year for liquor stores," and [liquor stores] depend on these days to carry them through the leaner months of the year."

**I certify that all the facts presented herein are accurate.**

\_\_\_\_\_  
**Signature of Department Director**

\_\_\_\_\_  
**Date**

MARTIN W. KAFAFIAN (NJ, NY, DC BARS)  
ADOLPH A. ROMEI (NJ, NY BARS)  
JOHN J. LAMB (NJ BAR)  
ANTIMO A. DEL VECCHIO (NJ, NY, DC BARS)  
ROBERT A. BLASS (NJ, NY BARS)  
IRA J. KALTMAN (NJ, NY BARS)  
ARTHUR N. CHAGARIS (NJ BAR)  
STEVEN A. WEISFELD (NJ, NY BARS)  
IRA E. WEINER (NJ BAR)  
DANA B. COBB (NJ, NY BARS)  
EMERY C. DUELL (NJ, NY BARS)  
RENATA A. HELSTOSKI (NJ, NY BARS)  
MICHAEL STERNLIEB (NJ BAR)  
DANIELE CERVINO (NJ, NY BARS)

COUNSEL TO THE FIRM

JAMES R. BEATTIE (NJ BAR)  
ROGER W. BRESLIN, JR. (NJ BAR)  
THOMAS W. DUNN (NJ BAR)  
JOSEPH A. RIZZI (NJ BAR)  
PATRICK J. MONAGHAN, JR. (NJ, NY BARS)  
MARY ELLEN B. OFFER (NJ, NY BARS)

RALPH J. PADOVANO (1935-2016)

OUR FILE NO. 170487-0004



BEATTIE  
PADOVANO LLC

COUNSELLORS AT LAW  
50 CHESTNUT RIDGE ROAD, SUITE 208  
P.O. Box 244  
MONTVALE, NEW JERSEY 07645-0244

(201) 573-1810

www.beattielaw.com

NEW YORK OFFICE:

99 MAIN STREET, SUITE 319  
NYACK, NEW YORK 10960  
(845) 512-8584

OF COUNSEL

BRENDA J. STEWART (NJ BAR)  
ARTHUR M. NEISS (NJ, NY BARS)

KATHLEEN S. COOK (NJ, NY, GA BARS)

JAMES V. ZARRILLO (NJ, NY BARS)  
JEANETTE A. ODYNSKI (NJ, NY BARS)  
DANIEL L. STEINHAGEN (NJ, NY BARS)  
CRISTIN M. KEEGAN (NJ, NY BARS)  
MARTIN R. KAFAFIAN (NJ, NY BARS)  
MARIYA GONOR (NJ, NY BARS)  
EDWARD R. GROSSI (NJ, NY BARS)  
JOSEPH E. BOCK, JR. (NJ, PA BARS)

FAX: (201) 573-9736

FAX: (201) 573-9369

Reply to New Jersey Office  
Writer's Direct Access  
Email: lweiner@beattielaw.com  
Direct Dial: (201) 799-2140

November 16, 2017

City of Jersey City  
City Hall  
280 Grove Street  
Jersey City, New Jersey 07302  
Attention: Jeremy Farrell, Esq., Corporation Counsel

Re: **Shop-Rite Liquors of Jersey City**  
**400 Luis Marin Boulevard, Jersey City, NJ**

Dear Mr. Farrell:

I am writing to you in your capacity as the corporation counsel for Jersey City. The undersigned represents Shop-Rite Liquors of Jersey City (an affiliate of Inserra Shop-Rite) located at 400 Luis Marin Boulevard in Jersey City.

The reason I am contacting you is with regard to Jersey City's hours of operation ordinance regarding the sale of alcoholic beverages. This year, both Christmas Eve and New Year's Eve fall on Sunday. Jersey City's ordinance provides that liquor stores may not be open before 12 noon.

Christmas Eve and New Year's Eve are the two busiest days of the year for a liquor store. These businesses depend on these days to carry them through the leaner months of the year. And while this circumstance only arises every six or seven years, the inability to open at a normal 9 a.m. hour this year would be a significant hardship on not only my client, but all other liquor establishments in Jersey City. In addition, it places a burden on many individuals who are out early on those days shopping to get ready for their holiday festivities.

*Forty-Seven Years of Service*

RECEIVED  
2017 NOV 17 AM 11:01  
CITY OF JERSEY  
LAW DEPARTMENT

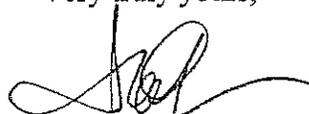
Jeremy Farrell, Esq., Corporation Counsel  
November 16, 2017  
Page 2

We want to propose a minor amendment to Jersey City's hours of operation ordinance. Because of the time constraint of needing this done before Christmas Eve, I am writing to you directly to see if this can be accomplished. To that end, I have taken the liberty of preparing a draft ordinance for consideration by you and the governing body. Obviously, this is only a suggested form that outlines what we are requesting that could be used or form the basis for an ordinance if the governing body is inclined to make this change. This would afford all liquor stores in the city an opportunity to be open during the hours they normally would be open on these pre-holiday days. The public will benefit by having greater access on those days.

I am writing to you because my client tried to contact Jersey City officials directly to accomplish this but did not receive any response, hence our involvement.

I would appreciate your getting back to me so we can discuss this further. Thank you for your time and consideration in reviewing this matter. I look forward to speaking with you to discuss this.

Very truly yours,



Ira E. Weiner

IEW:kpm  
Enclosure

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-165  
 TITLE: 3.F NOV 29 2017 4.E **DEC 13 2017**

Ordinance amending Chapter 84 (Alcoholic Beverages) Article I (Plenary Retail Consumption and Distribution Licenses) Section 84-23, of the Jersey City Municipal Code permitting holders of plenary retail distribution licenses to sell all alcoholic beverages beginning at 9 a.m., on Sundays whenever Christmas Eve (December 24<sup>th</sup>) and New Year's Eve (December 31<sup>st</sup>) fall on a Sunday

**NOV 29 2017 8-0**

**RECORD OF COUNCIL VOTE ON INTRODUCTION**

| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
|---------------|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| GAJEWSKI      | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN       | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO      | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

**DEC 13 2017 9-0**

**RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING**

Councilperson OSBORNE moved, seconded by Councilperson GADSDEN to close P.H.

| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
|---------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| GAJEWSKI      | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN       | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO      | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

**SPEAKERS:**

**RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY**

Councilperson \_\_\_\_\_ moved to amend\* Ordinance, seconded by Councilperson \_\_\_\_\_ & adopted

| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
|---------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| GAJEWSKI      |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN       |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO      |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

**DEC 13 2017 8-0-1**

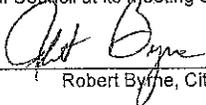
**RECORD OF FINAL COUNCIL VOTE**

| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE     | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
|---------------|-----|-----|------|---------------|---------|-----|------|----------------|-----|-----|------|
| GAJEWSKI      | ✓   |     |      | YUN           | ✓       |     |      | RIVERA         | ✓   |     |      |
| GADSDEN       | ✓   |     |      | OSBORNE       | ✓       |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO      | ✓   |     |      | ROBINSON      | ABSTAIN |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
 Adopted on second and final reading after hearing on **DEC 13 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

  
 Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:   
 Rolando R. Lavarro, Jr., Council President  
 Date **DEC 13 2017**

APPROVED:   
 Steven M. Fulop, Mayor  
 Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-166

Agenda No. 3-G 1st Reading

Agenda No. 4.F. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-166

**TITLE: AN ORDINANCE PROVIDING THE ENTIRE LENGTH OF MORRIS BOULEVARD FROM PARK VIEW AVENUE TO MARIN BOULEVARD WITH THE COMMEMORATIVE DESIGNATION "BOYS & GIRLS CLUB WAY"**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, Gary Greenberg, the Executive Director of the Boys & Girls Club of Hudson County, requested to have Morris Boulevard officially renamed "Boys & Girls Club Way"; and

**WHEREAS**, § 3.38.1(D) officially disfavors the renaming of streets but § 3.38.1 allows existing streets to be commemoratively designated for a worthy applicant; and

**WHEREAS**, the Boys & Girls Club of Hudson County has been serving the Jersey City and Hudson County community for 124 years working at the forefront of youth development, helping young people from disadvantaged economic, societal, and family circumstances improve their lives; very often helping those which other agencies failed to reach; and

**WHEREAS**, the Municipal Council Street Name Subcommittee met on November 2, 2017 to review the Boys & Girls Club application; and

**WHEREAS**, the Municipal Council Street Name Subcommittee refused to recommend re-naming of Morris Boulevard but it did deem that the application satisfied the standards and requirements set forth in Chapter 3-38.1 of the Municipal Code for the commemorative designation of Morris Boulevard; and

**WHEREAS**, on November 2, 2017, the Municipal Council Street Name Subcommittee voted unanimously to recommend that the Municipal Council provide the entire length of Morris Boulevard from Park View Avenue to Marin Boulevard with the commemorative designation "Boys & Girls Club Way"; and

**WHEREAS**, the applicant will reimburse the City for the cost of fabricating the necessary commemorative street signs as well as for their installation.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the entire length of Morris Boulevard from Park View Avenue to Marin Boulevard with the commemorative designation "Boys & Girls Club Way".

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect twenty (20) days after enactment.

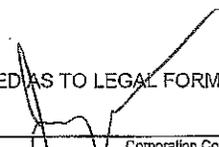
**AN ORDINANCE PROVIDING THE ENTIRE LENGTH OF MORRIS BOULEVARD FROM PARK VIEW AVENUE TO MARIN BOULEVARD WITH THE COMMEMORATIVE DESIGNATION "BOYS & GIRLS CLUB WAY"**

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

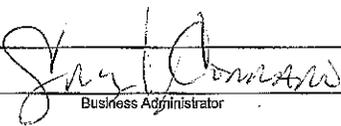
**NOTE:** All new material is underlined; words ~~struck through~~ are omitted.  
For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

*JJH 11/17/17*

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED:

  
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

**Full Title of Ordinance**

**AN ORDINANCE PROVIDING THE ENTIRE LENGTH OF MORRIS BOULEVARD FROM PARK VIEW AVENUE TO MARIN BOULEVARD WITH THE COMMEMORATIVE DESIGNATION "BOYS & GIRLS CLUB WAY"**

**Initiator**

|                            |                       |   |
|----------------------------|-----------------------|---|
| <b>Department/Division</b> | The Municipal Council | Office of Councilwoman-at-Large Watterman |
| <b>Name/Title</b>          | Joyce Watterman       | Councilwoman-at-Large                     |
| <b>Phone/email</b>         | 201-547-5134          | jwatterman@jenj.org                       |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

This Ordinance will provide the entire length of Morris Boulevard from Park View Avenue to Marin Boulevard with the commemorative designation "Boys & Girls Club Way".

**I certify that all the facts presented herein are accurate.**

  
\_\_\_\_\_  
Joyce Watterman  
Councilwoman-at-Large

November 17, 2017

**Date**

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-166  
 TITLE: 3.G NOV 29 2017 4.F **DEC 13 2017**

An ordinance providing the entire length of Morris Boulevard from Park View Avenue to Marin Boulevard with the commemorative designation "Boys & Girls Club Way".

| RECORD OF COUNCIL VOTE ON INTRODUCTION <span style="float: right;">NOV 29 2017 8-0</span> |     |     |      |               |     |     |      |                |        |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <span style="float: right;">DEC 13 2017 9-0</span> |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>LAVARRO</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H.        |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

*GARY GREENBURG*

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <span style="float: right;">DEC 13 2017 9-0</span> |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

**NOV 29 2017**

Adopted on first reading of the Council of Jersey City, N.J. on \_\_\_\_\_

**DEC 13 2017**

Adopted on second and final reading after hearing on \_\_\_\_\_

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

*Robert Byrne*  
 Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:

*Rolando R. Lavarro, Jr.*

Rolando R. Lavarro, Jr., Council President

Date **DEC 13 2017**

APPROVED:

*Steven M. Fulop*

Steven M. Fulop, Mayor

Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-167  
Agenda No. 3.H 1st Reading  
Agenda No. 4.G. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-167

TITLE:

**AN ORDINANCE PROVIDING THE PORTION OF NEWARK AVENUE FROM 2<sup>ND</sup> STREET TO MONMOUTH STREET WITH THE COMMEMORATIVE DESIGNATION "PETER J. ZAMPELLA, SR. WAY"**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, Maureen Hulings applied to have the portion of Newark Avenue at 2<sup>nd</sup> Avenue commemoratively designated after the late Peter J. Zampella, Sr.; and

**WHEREAS**, Peter J. Zampella, Sr. was a lifelong resident of Jersey City who dedicated much of his life to public service; and

**WHEREAS**, he was a veteran of the U.S. Army having served during World War II; and

**WHEREAS**, upon his return, he took over the family business, Zampella Men's Clothing on Newark Avenue, and he was a founding member of the Friendly Merchant's Association; and

**WHEREAS**, Peter J. Zampella, Sr. served as Councilman representing Ward E during the administration of Dr. Paul T. Jordan and he served as a County Freeholder during the administration of County Executive Edward F. Clark Jr.; and

**WHEREAS**, in addition, Peter J. Zampella, Sr. also served as Director of Hudson County Roads until his retirement in 1997; and

**WHEREAS**, the Municipal Council Street Name Subcommittee met on November 2, 2017 to review the Zampella application; and

**WHEREAS**, the Municipal Council Street Name Subcommittee deemed that the application satisfied the standards and requirements set forth in Chapter 3-38.1 of the Municipal Code; and

**WHEREAS**, on November 2, 2017, the Municipal Council Street Name Subcommittee voted unanimously to recommend that the Municipal Council provide the portion of Newark Avenue from 2<sup>nd</sup> Street west to Monmouth Street with the commemorative designation "Peter J. Zampella, Sr. Way"; and

**WHEREAS**, the applicant will reimburse the City for the cost of fabricating the necessary commemorative street signs as well as for their installation.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the portion of Newark Avenue from 2<sup>nd</sup> Street west to Monmouth Street be given the commemorative designation "Peter J. Zampella, Sr. Way"

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect twenty (20) days after enactment.

**AN ORDINANCE PROVIDING THE PORTION OF NEWARK AVENUE FROM 2<sup>ND</sup> STREET TO MONMOUTH STREET WITH THE COMMEMORATIVE DESIGNATION "PETER J. ZAMPELLA, SR. WAY"**

IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this

Ordinance reveals that there is conflict between those numbers and the existing code.

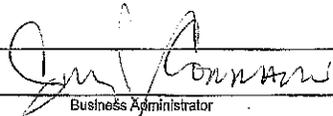
**NOTE:** All new material is underlined; words ~~struck through~~ are omitted.  
For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

*JJH 11/17/17*

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED:  \_\_\_\_\_  
Business Administrator

Certification Required   
Not Required

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

**Full Title of Ordinance**

**AN ORDINANCE PROVIDING THE PORTION OF NEWARK AVENUE FROM 2<sup>ND</sup> STREET TO MONMOUTH STREET WITH THE COMMEMORATIVE DESIGNATION "PETER J. ZAMPELLA, SR. WAY"**

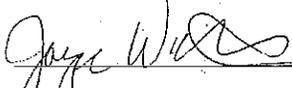
**Initiator**

|                            |                       |   |
|----------------------------|-----------------------|---|
| <b>Department/Division</b> | The Municipal Council | Office of Councilwoman-at-Large Watterman |
| <b>Name/Title</b>          | Joyce Watterman       | Councilwoman-at-Large                     |
| <b>Phone/email</b>         | 201-547-5134          | jwatterman@jcnj.org                       |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

This Ordinance will provide the portion of Newark Avenue from 2<sup>nd</sup> Street west to Monmouth Street with the commemorative designation "Peter J. Zampella, Sr."

**I certify that all the facts presented herein are accurate.**

  
\_\_\_\_\_  
Joyce Watterman  
Councilwoman-at-Large

November 17, 2017

Date

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-167  
 TITLE: 3.H NOV 29 2017 4.G

**DEC 13 2017**

An ordinance providing the portion of Newark Avenue from Second Street to Monmouth Street with the commemorative designation "Peter J. Zampella, Sr., Way".

| RECORD OF COUNCIL VOTE ON INTRODUCTION |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| NOV 29 2017 8-0                        |     |     |      |               |     |     |      |                |        |     |      |
| COUNCILPERSON                          | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI                               | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN                                | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO                               | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING  |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| DEC 13 2017   |     |     |      |               |     |     |      |                |     |     |      |
| Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE |     |     |      |               |     |     |      |                |     |     |      |
|------------------------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| DEC 13 2017 9-0              |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON                | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI                     | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN                      | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO                     | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 29 2017  
 Adopted on second and final reading after hearing on DEC 13 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on DEC 13 2017

Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:   
 Rolando R. Lavarro, Jr., Council President  
 Date DEC 13 2017

APPROVED:   
 Steven M. Fulop, Mayor  
 Date DEC 18 2017

Date to Mayor DEC 14 2017

City Clerk File No. Ord. 17-168

Agenda No. 3. I 1st Reading

Agenda No. 4.H. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-168

**TITLE: AN ORDINANCE PROVIDING A PORTION OF DANFORTH AVENUE FROM  
PRINCETON AVENUE WEST TO JOHN F. KENNEDY BOULEVARD WITH  
THE COMMEMORATIVE DESIGNATION "FRANK J. CASO WAY"**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, Lisa Marie Caso applied to have the portion of Danforth Avenue from Princeton Avenue west to John F. Kennedy Boulevard commemoratively designated after the late Frank J. Caso; and

**WHEREAS**, Frank J. Caso was a lifelong resident of Jersey City who, along with his family, operated several businesses in the Greenville Section of Jersey City including Caso's Gun-a-Rama and Danforth Seafood; and

**WHEREAS**, Frank J. Caso worked closely with the Jersey City Police Department, the Hudson County Sheriff's Office and the Hudson County Prosecutor's Office and he was a generous benefactor of the Fraternal Order of Police, the Police Officer's Benevolent Association and the Police Athletic League; and

**WHEREAS**, Frank J. Caso was also active in various Greenville neighborhood associations and was a leader in the South Greenville Merchant's Association; and

**WHEREAS**, former Mayor Brett D. Shundler honored Frank J. Caso for his efforts on behalf of the Greenville community; and

**WHEREAS**, Frank J. Caso recently passed away at the age of 78; and

**WHEREAS**, the Municipal Council Street Name Subcommittee met on November 2, 2017 to review the Caso application; and

**WHEREAS**, the Municipal Council Street Name Subcommittee deemed that the application satisfied the standards and requirements set forth in Chapter 3-38.1 of the Municipal Code; and

**WHEREAS**, on November 2, 2017, the Municipal Council Street Name Subcommittee voted unanimously to recommend that the Municipal Council provide the portion of Danforth Avenue from Princeton Avenue west to John F. Kennedy Boulevard with the commemorative designation "Frank J. Caso Way"; and

**WHEREAS**, the applicant will reimburse the City for the cost of fabricating the necessary commemorative street signs as well as for their installation.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the portion of Danforth Avenue from Princeton Avenue west to John F. Kennedy Boulevard shall receive the commemorative designation "Frank J. Caso Way".

**AN ORDINANCE PROVIDING A PORTION OF DANFORTH AVENUE FROM PRINCETON AVENUE WEST TO JOHN F. KENNEDY BOULEVARD WITH THE COMMEMORATIVE DESIGNATION "FRANK J. CASO WAY"**

- A. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect twenty (20) days after enactment.
- D. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

**NOTE:** All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH  
11/17/17

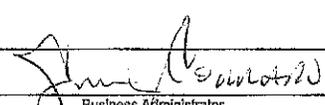
APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

Certification Required   
Not Required

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

  
Business Administrator

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

**Full Title of Ordinance**

**AN ORDINANCE PROVIDING THE PORTION OF DANFORTH AVENUE FROM PRINCETON AVENUE WEST TO JOHN F. KENNEDY BOULEVARD WITH THE COMMEMORATIVE DESIGNATION "FRANK J. CASO WAY"**

**Initiator**

|                            |                       |   |
|----------------------------|-----------------------|---|
| <b>Department/Division</b> | The Municipal Council | Office of Councilwoman-at-Large Watterman |
| <b>Name/Title</b>          | Joyce Watterman       | Councilwoman-at-Large                     |
| <b>Phone/email</b>         | 201-547-5134          | jwatterman@jcnj.org                       |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

This Ordinance will provide the portion of Danforth Avenue from Princeton Avenue west to John F. Kennedy Boulevard with the commemorative designation "Frank J. Caso Way".

**I certify that all the facts presented herein are accurate.**



**Joyce Watterman  
Councilwoman-at-Large**

November 17, 2017

**Date**

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-168  
 TITLE: 3.1 NOV 29 2017 4.H

**DEC 13 2017**

An ordinance providing the portion of Danforth Avenue from Princeton Avenue West to John F. Kennedy Boulevard with the commemorative designation "Frank J. Caso Way".

| RECORD OF COUNCIL VOTE ON INTRODUCTION |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| <b>NOV 29 2017 8-0</b>                 |     |     |      |               |     |     |      |                |        |     |      |
| COUNCILPERSON                          | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI                               | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN                                | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO                               | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| <b>DEC 13 2017 9-0</b>   |     |     |      |               |     |     |      |                |     |     |      |
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

LISA CASO

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE |     |     |      |               |     |     |      |                |     |     |      |
|------------------------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| <b>DEC 13 2017 9-0</b>       |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON                | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI                     | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN                      | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO                     | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
 Adopted on second and final reading after hearing on **DEC 13 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:   
 Rolando R. Lavarro, Jr., Council President

Date **DEC 13 2017**

APPROVED:   
 Steven M. Fulop, Mayor  
**DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-169

Agenda No. 3-J 1st Reading

Agenda No. 4.J. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-169

**TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 321 (TREES)  
OF THE JERSEY CITY MUNICIPAL CODE REPEALING SECTIONS 1  
THROUGH 8 IN ITS ENTIRETY AND ADOPTING A NEW VERSION**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY DOES ORDAIN:**

**WHEREAS**, street trees promote the health and welfare of the public by improving air quality, absorbing carbon dioxide and particulate matter as well as reducing storm runoff and the potential for soil erosion; and

**WHEREAS**, in addition, street trees provide shade, lower air temperatures, protect pedestrians from rain, wind, sun and heat as well as reduce noise pollution and provide habitat for birds and other wildlife; and

**WHEREAS**, street trees also increase property values and enhance the City's aesthetic qualities, thus making the City more attractive to residents, visitors and businesses; and

**WHEREAS**, the Municipal Council finds that it must revise the existing ordinance governing street trees throughout the City to ensure that they are given maximum protection.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

A. The following amendment to Chapter 321 (Trees) of the Jersey City Code are hereby adopted:

### CHAPTER 321 TREES

**§321-1. Definitions**

For the purpose of this Chapter, the following terms shall have the meaning given herein:

**CANOPY** means the extent of the outer layer of leaves of an individual tree formed by the Leader together with the Scaffold and Lateral Branches (Fig. 1).

**CITY TREE** means (a) any living, self-supporting woody perennial plant that has a trunk diameter of at least two (2) inches or more when measured at a point six (6) inches above ground level and which normally attains an overall height of at least ten (10) feet at maturity, usually with one main stem or trunk and several branches; and (b) planted in a Public Right-of-Way, in a City Park or on property owned by the City. The term "City Tree" does not include trees on private property.

**CROWN** means the top part of the Canopy (Fig. 1).

**DIVISION** means the Division of Parks and Forestry.

DRIP LINE means the area defined by the outermost circumference of a tree canopy.

JERSEY CITY FORESTRY STANDARDS means the document promulgated by the Division of Parks and Forestry detailing the City's standards for the planting, maintenance and removal of City Trees as defined herein.

LATERAL BRANCHES means the secondary branches that emerge from Scaffold Branches (Fig. 1).

LEADER means the vertical stem at the top of the Trunk (Fig. 1).

MUNICIPAL FORESTER means the employee of the Division of Parks and Forestry responsible for overseeing the planting, maintenance and removal of all City Trees and who is responsible for promulgating the Jersey City Forestry Standards as well as the list of City Tree valuations published annually.

PUBLIC RIGHTS-OF-WAY means all land in the City of Jersey City dedicated or expressly reserved for the use of vehicular or pedestrian traffic and/or utilities.

PRUNE means cutting or removing less than twenty percent (20%) percent of the branching structure of a tree in the crown, trunk, or root areas.

SCAFFOLD BRANCHES means the primary limbs that form a tree's Canopy (Fig. 1).

TOPPING means cutting or removing the Leader in such a way as to disfigure the Canopy resulting in stunted or abnormal growth.

TRUNK means the stem and main wooden axis of a tree (Fig. 1).

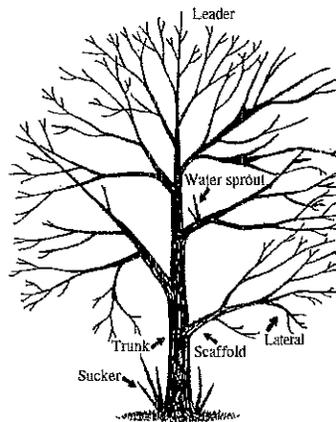


Fig. 1

**§321-2. - Purpose**

The Municipal Council finds that the preservation of existing City Trees and the planting of new City Trees promote the health and welfare of the public in the following ways:

1. Conserving energy by providing shade, lowering urban air temperatures, and acting as a windbreak in winter;
2. Protecting pedestrians from rain, wind, sun and heat;
3. Improving air quality by producing oxygen, absorbing carbon dioxide and particulate matter;

4. Reducing noise pollution;
5. Providing habitat for birds and other wildlife;
6. Reducing storm runoff and the potential for soil erosion;
7. Increasing real estate property values; and
8. Enhancing the City's aesthetic qualities and thus making it more attractive to residents, visitors and businesses.

**§321-3. Prohibited Activities**

No person shall do or cause to be done any of the following to a City Tree as defined herein:

1. Hitch or fasten any animal, bicycle or vehicle to any guard or support attached to the City Tree;
2. Permit any injurious substance, whether gaseous, liquid or solid, to come into contact with the stump or roots of any to any City Tree;
3. Cover or obstruct any open space provided around the base of a City Tree in such a way to prevent water or fertilizer from reaching the roots of the tree;
4. Pile any building material or make any mortar or cement within six (6) feet of a City Tree;
5. Affix a sign to a City Tree through use of nails, staples, ropes, cables, wires, or other material that may cause punctures or girdling;
6. Cut or remove more than twenty percent (20%) of a City Tree's Canopy.

**§321-4. Acts Requiring a Permit**

- A. No person shall do or cause to be done any of the following without a permit from the Division of Parks and Forestry:
  1. Plant a tree in the Public Rights-of-Way;
  2. Remove a City Tree;
  3. Prune, cut or saw a City Tree;
  4. Spray a City Tree with chemicals;
  5. Climb a City Tree with spikes;
  6. Cut, trim, break or disturb the roots of any City Tree;
  7. Change the size or depth of a City Tree bed or place any guard or structure around a City Tree bed;
  8. Fasten any rope, guy wire, electric attachments, sign or any other device to a City Tree or to any guard about the City Tree;
  9. Remove any structure or device installed by the City to support or protect a City Tree;
  10. Change the grade of the soil within the limits of the canopy of any City Tree;
  11. Install an electrified wire above or through any City Tree;

12. Conduct any activity within fifteen (15) feet of a City Tree such as construction, demolition, replacement of a sidewalk or driveway, erecting scaffolding, repairing underground utilities or services, and installation of infrastructure such as a street light.

- B. A separate permit shall be required for each tree affected by any of the foregoing acts.

**§321-5. Planting Trees**

A property owner may plant a tree in the Public Rights-of-Way abutting his or her property by obtaining a permit from the Division of Parks and Forestry subject to the following conditions:

1. The species shall be selected from the List of Recommended Trees in the Jersey City Forestry Standards and be planted according to the Forestry Standards;
2. The owner shall carry liability insurance for any damage to property or injury to person by the planting of such City Trees;
3. The owner shall maintain the sidewalk in accordance with Chapter 254 (Property Maintenance) and the tree-bed surrounding the tree in accordance with the Jersey City Forestry Standards;
4. A property owner to whom a permit is issued under this section may engage a private landscaper to plant a City Tree or request that the Division plant the tree on behalf of, and as an agent for, the owner.

**§321-6. Removal of City Trees**

- A. An adjoining property owner may be granted a permit for the removal of a City Tree abutting his or her property under the following conditions:
  1. The City Tree poses a danger to persons or property which cannot be remedied except by removal; or
  2. The removal of the City Tree is required for the development of the property or the improvement of the sidewalk.
- B. An owner granted a permit to remove a City Tree under Sub-Section A(2) shall make a payment to the City equivalent to the value of the tree, as determined annually by the Division of Parks and Forestry.
- C. If the Municipal Forrester determines that a Tree requires removal, the Division of Parks and Forestry shall replace it with a tree from the List of Recommended Trees.
- D. Nothing in this section shall be construed to limit the power of the Division to move or require the removal of any City Tree or part thereof for any purpose consistent with Section 321-2.

**§321-7. Permit Application Fee**

Application for the permit required under §321-4 shall be made in writing to the Division of Parks and Forestry, on forms to be supplied by the Division, accompanied by the fee provided in Chapter 160 (Fees and Charges).

**§321-8. Protection from wires, cables and electrical current**

Every person or entity having control over any wire for the transmission of an electric current along a Public Rights-of-Way shall at all times guard all City Trees through which or near which such wire passes against any injury from the wire or cable or from the electric current carried by it. The device or means used shall in every case be subject to approval by the Division of Parks and Forestry.

**§321-9. Violations and Penalties**

The penalties provided under § 1-25 shall apply to violations of this Chapter; provided, however, that the minimum penalty for a violation of this Chapter shall be \$100.

B. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

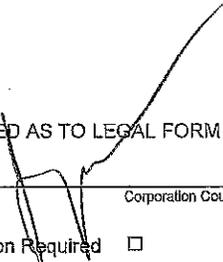
C. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

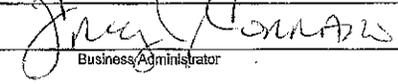
D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All material is new. Therefore, underlining has been omitted.

JJH/he  
9/08/17

APPROVED AS TO LEGAL FORM  
  
\_\_\_\_\_  
Corporation Counsel

APPROVED:   
APPROVED:   
Business Administrator

Certification Required   
Not Required

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

**Full Title of Ordinance**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 321 (TREES) OF THE JERSEY CITY MUNICIPAL CODE REPEALING SECTIONS 1 THROUGH 8 IN ITS ENTIRETY AND ADOPTING A NEW VERSION**

**Initiator**

|                            |  |  |
|----------------------------|--|--|
| <b>Department/Division</b> | Department of Housing, Economic Development & Commerce | Division of City Planning              |
| <b>Name/Title</b>          | Annisia Cialone  | Director                               |
|                            | Kate Lawrence  | Senior Planner                         |
| <b>Phone/email</b>         | 201-547-5010   | acialone@jcnj.org / klawrence@jcnj.org |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

This Ordinance repeals the existing Chapter 321 (Trees) of the Municipal Code and replaces it with a more robust version providing greater protections to one of the City’s most valuable assets, its street trees. Much of the language of the existing section of the code has been retained, although it has been edited and completely reformatted so as to be more readily understood.

New sections that are proposed for Chapter 321 include:

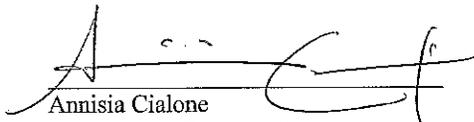
1. A statement of purpose has been added to this chapter of the Code, to emphasize the importance of trees and to avoid ambiguity in interpretation.
2. A section has been added that gives general definitions of key terms in order to prevent confusion in interpretation and enforcement of the ordinance.
3. Pruning more than 20% of a City Tree is now a prohibited act.
4. Performing construction within 15 feet of the dripline or trunk of a tree or removing a structure or device installed by the City to support or protect a City Tree are now listed as acts requiring a permit.
5. The conditions for the removal of a City Tree are now clearly listed.
6. The Code now states that tree planting standards and appropriate tree species can be found in the Jersey City Forestry Standards.

The following previously-included items have been omitted in the new version of the Ordinance:

1. The process for the removal of City Trees due to public improvements has been removed. All removal whether they be for public or private projects are now subject to the same process.
2. The requirement to annually notice all tree-related contractors in Hudson County has been removed.

A second Ordinance, related to this one, amending Chapters 345-65, 345-66, and 345-70, is also on the agenda. The language in this Ordinance was approved by the Planning Board at its meeting on November 14, 2017.

**I certify that all the facts presented herein are accurate.**

  
 Annisia Cialone  
 Signature of Division Director

November 11, 2017

**Date**

  
 Anthony Cruz  
 Signature of Department Director

November 11, 2017

**Date**

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-169  
 TITLE: 3.J NOV 29 2017 4.1

**DEC 13 2017**

Ordinance amending and supplementing Chapter 321 (Trees) of the Jersey City Municipal Code repealing Section 1 through 8 in its entirety and adopting a new version.

| RECORD OF COUNCIL VOTE ON INTRODUCTION <b>NOV 29 2017</b> 8-0 |     |     |      |               |     |     |      |                |        |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <b>DEC 13 2017</b> 9-0                      |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

**SPEAKERS:**

*Denise Bailey*  
*Jonathan REBSON*

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <b>DEC 13 2017</b> 9-0 |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                                       | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
**DEC 13 2017**  
 Adopted on second and final reading after hearing on \_\_\_\_\_

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

*Robert Byrne*  
 Robert Byrne, City Clerk

APPROVED: *[Signature]*  
 Rolando R. Lavarro, Jr., Council President

Date **DEC 13 2017**

\*Amendment(s):

APPROVED: *[Signature]*  
 Steven M. Fulop, Mayor

Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-170

Agenda No. 3-K 1st Reading

Agenda No. 4.J. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-170

TITLE: AN ORDINANCE AMENDING CHAPTER 345 (ZONING),  
SECTION 65, (BUFFERS) SECTION 66 (LANDSCAPING)  
AND SECTION 70 (OFF-STREET PARKING AND  
LOADING AND BICYCLE PARKING) OF THE JERSEY  
CITY MUNICIPAL CODE

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:**

**WHEREAS**, the Municipal Council recently introduced changes to Chapter 321 (Trees) of the Municipal Code; and

**WHEREAS**, Chapter 345, Section 66 of the Municipal Code currently addresses trees as well, but it addresses them within the context of trees planted in the area between the building line and street line of residential lots; and

**WHEREAS**, it is in the City's best interests that Chapter 345, Sections 65, 66 & 70 of the Municipal Code be amended to be consistent with the changes to Chapter 321 (Trees) of the Municipal Code; and

**WHEREAS**, the amendments below are consistent with Chapter 321 (Trees) of the Municipal Code as amended; and

**WHEREAS**, these amendments, have been reviewed and recommended by the Planning Board.

**NOW, THEREFORE BE IT ORDAINED** by the Municipal Council that Chapter 345, (Zoning) Section 65, (Buffers) Section 66 (Landscaping) and Section 70 (Off-street parking and loading and bicycle parking) of the Municipal Code be amended to read:

### CHAPTER 345 ZONING

**§ 345-1. - Title. through § 345-64. - Public or private common open space design standards.**

NO CHANGE.

**§ 345-65. - Buffers.**

A. Zoning Standards.

~~Buffer areas are required along lot lines where a non-residential use or district line abuts a residential property except that where a new residential use is proposed on a lot adjoining an existing non-residential use or district line, the proposed residential use shall provide the buffer.~~

Any parking, loading, outside equipment and storage area that adjoins a street, open space or residential use shall have a landscaped buffer area along all applicable property lines, except in those instances where a building intervenes and where it impedes safe vehicular and pedestrian traffic.

B. Design Standards.

1. No activity, storage of materials or parking of vehicles shall be permitted in the buffer area except access driveways, directional signs, and permitted signs.
2. ~~All buffer areas shall include plantings except where spatial restrictions preclude its use.~~
32. Any buffer area shall be at least three (3) feet in depth and planted and maintained with massed evergreens, deciduous trees and shrubs of such species and sizes which will produce within two growing seasons a living screen at least four feet in height and of such density so as to obscure throughout the full course of the year the glare of automobile headlights emanating from the premises. All plantings shall be in accordance with 345-66.B. The screen plantings shall be placed so that at maturity they will not protrude across any street or property line and so that a clear sight triangle shall be maintained at off street intersections and at all points where private accessways intersect public streets.
3. Where spatial restrictions or traffic safety concerns do not provide sufficient width for screen planting, a four (4)-foot high decorative fence or brick wall or any combination of plantings and walls or decorative fences may be provided
4. ~~The parking, loading, outside equipment and storage areas shall be screened from view by buildings, decorative walls, or landscaped areas and the front of the building shall be landscaped.~~

§ 345-66. - Landscaping.

A. Zoning General Standards.

1. All areas not occupied by buildings or structures shall be appropriately landscaped in addition to required ~~street trees~~ City Trees as defined in Chapter 321 and buffer areas. (See maximum lot coverage requirement in each zone).
  - a. Street trees shall be required for all development in accordance with the standards found under Section 345-66(C) except where it can be demonstrated to the Municipal Forester that it is not possible to plant trees for one of the following reasons: 1) constraints such as utility lines; (2) danger to public health, safety or property; (3) the project location will not allow for the healthy growth of a street tree.
  - b. If replacement of removed City Trees as defined in Chapter 321 or planting of new City Trees is determined not to be practical at a given location by the Municipal Forester, the applicant will be required to make a monetary contribution to the City for each tree equivalent to the replacement cost per tree, as determined annually by the Division of Parks and Forestry.
2. Front Yard Landscaping
  - a. At least sixty (60%) percent (60%) of the area between the building line and street line on residential lots shall be landscaped, provided, however, that for new construction in the R-1 District, or for construction of three-family detached housing in the R-3 District, which includes either a front garage and driveway, or driveway access through the front yard to a side or rear yard parking area, or rear yard garage in lieu of a front yard garage access, a minimum of thirty percent (30%) of the area shall be landscaped. the following front yard landscaping percentages shall apply:
    - (1) ~~Lots less than twenty five (25) feet wide minimum of fifteen (15) percent.~~
    - (2) ~~Lots twenty five (25) feet wide and greater a minimum of thirty (30) percent.~~
  - b. In the event of removal of front yard landscaping existing at the time of the adoption of this ordinance for rehabilitation, or required repair/replacement, or for any other purpose, restoration of the originally landscaped area is required in accordance with percentage requirements of subsection (A)(2)(a) of this section.
3. Surface parking lots, principal or accessory

All surface parking lots must adhere to the requirements of Chapter 345-65. In outdoor parking lots with six ten (10) or more spaces not less than five percent (5%) of the parking area shall be suitably landscaped and maintained with trees, shrubs and ground cover at least three feet high and trees with branches no lower than six feet. At least one shade tree is required to be planted for every ten (10) parking spaces. Planting methods and materials for shade trees shall be according to current Jersey City Forestry Standards, published by the Division of Parks & Forestry. The landscaping shall be disbursed throughout the parking area bounded by the limits of curbing or from the outside perimeter of the paved parking area.

- ~~4. Street trees shall be required for all development in accordance with the schedule found under Section 345-66(B)(12) (B)(12) (Design Standards for street trees); except where it can be demonstrated to the administrative officer that it is not possible to plant trees due to underground constraints such as water or utility lines.~~

B. Design Standards for On-Site Landscaping.

1. Landscaping for all uses shall define entrances to buildings and parking lots, define the edges of various land uses, provide transition between neighboring properties and provide screening for loading and equipment areas to the maximum extent feasible.
2. All plant materials shall be suitable for the site, free of disease and insects, and shall conform to the American Standard for Nursery Stock (ASNS) of the American Nursery and Landscape Association for the quality and installation of that plant.
3. Plants listed on any Jersey City or state government list of invasive or prohibited species shall not be installed and shall not be counted towards meeting any landscaping requirement.
4. In all areas where landscaping is required, a minimum of seventy-five percent (75%) of the surface area shall be covered by living plants, rather than mulch, bark, gravel, or other non-living material.
5. The use of synthetic vegetation (plastic plants, etc.) shall not be used to meet any of the required landscaping or buffering standards.
- ~~2.6.~~ In the Highway Commercial and Community Automotive zones, at least one-half of the required landscaping shall be located along the street right-of-way.
- ~~3.7.~~ Landscaping shall be in scale with adjacent structures and be of appropriate size at maturity to accomplish its intended purpose.
- ~~4.8.~~ Foundation plantings are recommended to soften the edge between the parking lot and the structure.
- ~~5.9.~~ The use of non-invasive vines and climbing plants on buildings and the perimeter of garden walls is encouraged.
- ~~6.10.~~ Plants in containers shall be used for enhancement of sidewalk shops, plazas and courtyards.
- ~~7.11.~~ Landscaping shall not obstruct visibility in the site triangle for vehicular and pedestrian traffic at all 90-degree angle intersections of public rights-of-way and private driveways.
- ~~8.12.~~ All plantings shall be with species with proven resistance in an urban environment.
  9. ~~Deciduous trees shall have at least a three inch caliper and evergreens shall be at least four feet tall at planting. All trees shall be balled and burlapped and be of specimen quality as established by the American Association of Nurserymen.~~
  10. ~~Any parking lot that adjoins a street, open space or residential use shall have a landscaped strip along the adjoining lot line that includes trees, shrubs and ground cover.~~
  11. ~~Parking lots for more than six vehicles and all loading areas shall provide a screen planting of dense native and drought tolerant evergreen mulched two (2) to four (4) inches during the spring and summer, not less than three (3) feet high at planting along all street lines and along all property lines, and will maintain a four foot~~

height along all property lines, except in those instances where a building intervenes and in sight triangles of driveways and sidewalk points. In lieu of screen plantings, a four-foot high decorative brick wall or any combination of plantings and walls or decorative fences may be provided.

12. Street trees shall be required for all development and shall be in accordance with the following schedule:

a. small trees:

| Latin Name         | Common Name    | Recommended on Narrow Streets | Recommended under Power Lines | Preferred Site | Maintenance Required | Notes |
|--------------------|----------------|-------------------------------|-------------------------------|----------------|----------------------|-------|
| Cercis eanadensis  | Eastern Redbud |                               | YES                           |                | Pruning              |       |
| Prunus sargentii   | Sargent Cherry | YES                           | YES                           |                |                      |       |
| Syringa reticulata | Tree lilac     | YES                           | YES                           |                | Pruning              |       |

b. Medium trees:

| Latin Name            | Common Name               | Recommended on Narrow Streets | Recommended under Power Lines | Preferred Site | Maintenance Required | Notes         |
|-----------------------|---------------------------|-------------------------------|-------------------------------|----------------|----------------------|---------------|
| Amelanchier           | Serviceberry              | YES                           | YES                           | Dry            |                      |               |
| Carpinus betulus      | European Hornbeam         |                               | YES                           |                |                      |               |
| Carpinus caroliniana  | Upright European Hornbeam |                               | YES                           |                | Prune when young     |               |
| Cercis chinensis      | Chinese Redbud            | YES                           | YES                           |                | Pruning              |               |
| Cladrastis kenturkea  | Yellowwood                |                               | YES                           |                |                      |               |
| Ginkgo biloba         | Maidenhair Tree           | YES                           | YES                           |                |                      |               |
| Gleditsia triacanthos | Honey Locust              |                               |                               |                |                      |               |
| Gymnocladus dioicus   | Kentucky Coffeetree       |                               |                               |                |                      |               |
| Malus                 | Crabapple                 | YES                           | YES                           |                |                      |               |
| Ostrya virginiana     | Hop Hornbeam              | YES                           | YES                           |                |                      | Prefers shade |

|                   |                |     |     |  |         |  |
|-------------------|----------------|-----|-----|--|---------|--|
| Prunus serrulata  | Kwanzan Cherry |     | YES |  | Pruning |  |
| Prunus yedoensis  | Yoshino Cherry | YES | YES |  |         |  |
| Quercus acutissim | Sawtooth Oak   | YES | YES |  |         |  |

e. Large trees:

| Latin Name                                       | Common Name           | Recommended on Narrow Streets | Recommended under Power Lines | Preferred Site | Maintenance Required | Notes |
|--|-----------------------|-------------------------------|-------------------------------|----------------|----------------------|-------|
| Celtis laevigata                                 | Sugar Hackberry       |                               |                               |                |                      |       |
| Celtis occidentalis                              | Hackberry             |                               |                               |                |                      |       |
| Corylus columa                                   | Turkish Filbert       |                               |                               |                |                      |       |
| Eucornia ulmoides                                | Hardy Rubber Tree     |                               |                               |                |                      |       |
| Ginkgo biloba                                    | Maidenhair Tree       |                               |                               |                |                      |       |
| Ilex opaca                                       | American Holly        |                               | YES                           | Wet/Dry        |                      |       |
| Liquidambar styraciflua 'Cherokee,' 'Worplesdon' | Sweet-Gum (Fruitless) |                               |                               | Wet/Dry        |                      |       |
| Nyssa sylvatica                                  | Black Gum             |                               |                               | Wet            | Wet sites            |       |
| Quercus bicolor                                  | Swamp White Oak       |                               |                               | Wet            |                      |       |
| Quercus coccinea                                 | Scarlet Oak           |                               | YES                           | Dry            |                      |       |
| Quercus imbricaria                               | Shingle Oak           |                               |                               |                |                      |       |
| Quercus phellos                                  | Willow Oak            |                               |                               |                |                      |       |
| Quercus prinus                                   | Chestnut Oak          |                               |                               | Dry            |                      |       |
| Quercus robur                                    | English               |                               |                               |                |                      |       |

|                               |                       |  |     |         |  |  |
|-------------------------------|-----------------------|--|-----|---------|--|--|
|                               | Oak                   |  |     |         |  |  |
| Quercus robur<br>'Fastigiata' | Fastigiata<br>Oak     |  |     |         |  |  |
| Quercus rubra                 | Northern<br>Red Oak   |  |     | Wet/Dry |  |  |
| Quercus<br>velutina           | Black Oak             |  |     | Wet/Dry |  |  |
| Sophora<br>japonica           | Japanese<br>Scholar   |  |     |         |  |  |
| Tilia<br>Americana            | American<br>Linden    |  | YES |         |  |  |
| Tilia cordata                 | Little Leaf<br>Linden |  |     |         |  |  |
| Tilia euectora                | Crimean<br>Linden     |  |     |         |  |  |
| Tilia tomentosa               | Silver<br>Linden      |  |     |         |  |  |
| Zelkova serrata               | Zelkova               |  |     |         |  |  |

- ~~13. Recommended Tree Spacing. The distance between trunks shall be equivalent to the trees' spread at maturity.~~
- ~~14. Street trees shall be planted so as if not to interfere with utilities, roadways, or sidewalks. Trees shall be nursery grown stock of not less than three to three and one-half inches in caliper measured one foot from the root system, with branches not less than eight feet above grade when planted and staked in an approved manner.~~
- ~~15. Maintenance. The provisions of § 345-75 shall apply.~~
- 13. Use of shade trees is encouraged to minimize the temperature and purify the City's air and water.
- 14. Rain gardens and/or other practices that mimic natural hydrology and increase effective perviousness are encouraged.
- 15. Green roofs and green walls are encouraged citywide. Such features shall be exempt from roof coverage and lot line setback requirements of §345-60(D) and §345-60(H).

C. Design Standards for Street Trees

- 1. Street trees shall be required for all development projects (including all new construction and all rehabilitation projects subject to site plan review. Project developers shall provide one street tree, either new or existing, for every twenty-five (25) feet of street frontage.
- 2. Tree removals and plantings for development projects shall follow the requirements of Chapter 321.
- 3. All new City Trees shall be selected from the most current Recommended Street Tree List of the Jersey City Forestry Standards, as published and updated by the

Division of Parks and Forestry and shall receive site and species approval from the Division of Parks & Forestry.

4. Planting methods and materials and tree-pit specifications shall be according to current Jersey City Forestry Standards, as published by the Division of Parks & Forestry.
5. With regard to maintenance, the provisions of § 345-75 shall apply.

**§ 345-67. - Fences and walls.**

NO CHANGE.

**§ 345-68. - Signs.**

NO CHANGE.

**§ 345-69. - Lighting.**

NO CHANGE.

**§345-70. Off-street parking and loading and bicycle parking.**

**A. Automobile Zoning Standards.**

1. Off-street parking shall not be located between the building and the street.
2. ~~Parking lots with ten (10) or more spaces shall be planted with shade trees at a rate of one tree per ten (10) parking spaces in addition to required street trees and five percent landscaping. Parking lots are subject to landscaping regulations in §345-66.~~
3. Where parking structures front on a public right-of-way, the structure shall be "faced" with commercial or mixed uses on the ground floor.
4. Stilted buildings are prohibited.
5. All off-street parking lots, except those of one and two-family residences, shall be provided with curbing of poured-in-place concrete, so that vehicles cannot be driven onto required landscaped areas, buffer zones, interior roadways, internal walkways and street rights-of-way so that each parking lot has controlled entrances and exits and proper drainage control. Curbing of poured-in-place concrete shall be located to prevent any part of the vehicle from overhanging the street right-of-way, property line, interior roadways or internal walkways. Vehicular access to street from the parking lot shall be limited to driveways.
6. All parking spaces except those permitted for one and two family housing shall be located with access to each space from an aisle.
7. Parking for Houses of Worship shall meet the standards of their zone. For all Houses of Worship, one seat shall equal 24 inches of pew/bench space. Houses of Worship that do not have seats shall be calculated at a rate of 10 square feet of prayer space equaling one seat.
8. Off-street loading facilities shall be located so that no vehicle being loaded or unloaded, maneuvering into a loading space or waiting to be parked into a loading space shall interfere with any traffic flow on a street, sidewalk, parking space, aisle, fire lane, driveway, railroad track or turning area nor shall they occupy any part of required lawn or buffer areas.
9. No parking space shall be less than eighteen (18) feet long and eight and one-half feet wide, with the following exceptions:
  - a. valet parking lots, where approved by the Planning Board or the Zoning Board of Adjustment, may have reduced stall and aisle sizes. The project applicant is responsible for demonstrating to the Board that the lot can function and accommodate vehicles as proposed.
  - b. compact car spaces, where approved by the Planning Board or the Zoning Board of Adjustment, shall not be less than sixteen (16) feet long and eight feet wide. Aisles providing access to parking spaces shall have the following

minimum distances. Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.

| Angle of Parking Space (degrees) | For Parking Spaces 8—8.5 Wide 1-Way Aisle (feet) | For Parking Spaces 8—8.5 Wide 2-Way Aisle (feet) | For Parking Spaces 9—9.5 Wide 1-Way Aisle (feet) | For Parking Spaces 9—9.5 Wide 2-Way Aisle (feet) |
|----------------------------------|--|--|--|--|
| Aisle                            |  |  |  |  |
| 90                               | 24   | 24   | 22   | 22   |
| 60                               | 20   | 22   | 18   | 20   |
| 45                               | 18   | 20   | 15   | 18   |
| 30                               | 15   | 18   | 12   | 18   |
| Parallel                         | 12   | 18   | 12   | 18   |

10. Except as otherwise regulated in this chapter, no more than a single 10-foot wide curb cut, driveway and/or garage door shall be permitted on any lot in the R-1, R-1A, R-1F, R-2, or R-3 zoning districts.
11. The number and design of off-street parking and loading spaces shall adhere to the following:
  - a. Where more than one use is on a lot, the total number of spaces shall be the sum of the component requirements.
  - b. All loading spaces shall have fifteen (15) feet of vertical clearance.
12. Minimum Standards for Number of Off-Street Loading Spaces.

| Land Use                                     | At which First Berth is Required (square feet) | At Which Second Berth is Required (square feet) 3 more spaces be calculated at multiples |
|--|--|--|
| Manufacturing, processing, assembly, marinas | 5,000  | 40,000   |
| Warehouse, auto/truck sales                  | 5,000  | 40,000   |
| Storage, shipping                            | 10,000   | 25,000   |
| Schools                                      | 10,000   | 100,000  |
| Hospitals                                    | 10,000   | 100,000  |
| Terminals and transportation centers         | 5,000  | 40,000   |
| Auditoriums                                  | 10,000   | 40,000   |
| Funeral homes/mortuaries                     | 10,000   | 100,000  |

|  |        |         |
|--|--------|---------|
| <b>Retail</b>  | 10,000 | 20,000  |
| <b>Service establishments</b>                              | 10,000 | 40,000  |
| <b>Indoor recreation</b>                                   | 10,000 | 100,000 |
| <b>Restaurants/ nightclubs</b>                             | 10,000 | 25,000  |
| <b>Office building, financial institution and research</b> | 10,000 | 100,000 |
| <b>Hotel/Motel</b>   | 10,000 | 100,000 |

13. Minimum Dimensional Standards for Off-Street Loading.

| <b>A. Overall Length of Berth (feet)</b> | <b>B. Berth Width (feet)</b> | <b>C. Apron Length (feet)</b> | <b>D. Deck Approach (A and C) (feet)</b> |
|--|------------------------------|-------------------------------|--|
| 40                                       | 10                           | 46                            | 86                                       |
|  | 12                           | 43                            | 83                                       |
|  | 14                           | 39                            | 79                                       |
| 45                                       | 10                           | 52                            | 97                                       |
|  | 12                           | 49                            | 94                                       |
|  | 14                           | 46                            | 91                                       |
| 50                                       | 10                           | 60                            | 110                                      |
|  | 12                           | 57                            | 107                                      |
|  | 14                           | 54                            | 104                                      |
| 55                                       | 10                           | 65                            | 120                                      |
|  | 12                           | 62                            | 117                                      |
|  | 14                           | 58                            | 113                                      |
| 60                                       | 10                           | 72                            | 132                                      |
|  | 12                           | 63                            | 123                                      |

**A. Automobile Parking Design Standards**

NO CHANGE.

**B. Bicycle Parking Zoning Standards**

NO CHANGE.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Municipal Code.
- III. This Ordinance shall take effect twenty (20) days after enactment.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

**NOTE:** All new material is underlined; words ~~struck through~~ are omitted.

For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH 11/17/17

APPROVED AS TO LEGAL FORM

Certification Required   
Not Required

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

Corporation Counsel

Business Administrator

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

**Full Title of Ordinance**

**AN ORDINANCE AMENDING CHAPTER 345, (ZONING) SECTIONS 65 (BUFFERS), 66 (LANDSCAPING), AND 70 (OFF-STREET PARKING AND LOADING AND BICYCLE PARKING) OF THE MUNICIPAL CODE**

**Initiator**

|                            |  |  |
|----------------------------|--|--|
| <b>Department/Division</b> | Department of Housing, Economic Development & Commerce | Division of City Planning              |
| <b>Name/Title</b>          | Annisia Cialone  | Director                               |
|                            | Kate Lawrence  | Senior Planner                         |
| <b>Phone/email</b>         | 201-547-5010   | acialone@jcnj.org / klawrence@jcnj.org |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

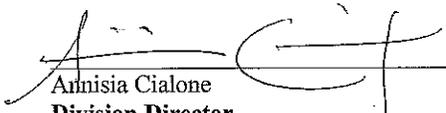
**Ordinance Purpose**

This Ordinance amends Chapters 345-65, 345-66, and 345-70 of the Municipal Code so as to be consistent with the changes made to Chapter 321 (Trees) of the Municipal Code. The language in this Ordinance was approved by the Planning Board at its meeting on November 14, 2017.

The aforementioned chapter of the code have been re-formatted and edited to provide greater clarity to developers and residents. The following are the most important changes that have been made to these chapters of the code:

1. Chapter 345-65 (Buffers) has been revised so that it is consistent with Chapter 345-66 (Landscaping)
2. A required number of street trees has now been established (one new or existing for every 25 feet of street frontage) rather than the previous suggested amount.
3. Developers unable to provide the stipulated number of trees are now required to make a monetary contribution to the City for each tree equivalent to the replacement cost per tree, as determined annually by the Division of Parks and Forestry.
4. Specific tree planting standards, such as tree trunk caliper and tree species, have been moved from the Landscaping chapter of the code. This information will now be found in the Jersey City Forestry Standards, which is referenced within the code.
5. The tree planting requirements previously included in Chapter 345-70 (Off-street parking and loading and bicycle parking) have been moved to Chapter 345-65 (Landscaping).

**I certify that all the facts presented herein are accurate.**

  
 Annisia Cialone  
 Division Director

November 11, 2017

**Date**

  
 Anthony Cruz  
 Department Director

November 11, 2017

**Date**

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO: Ord. 17-170  
 TITLE: 3.K NOV 29 2017 4.J      **DEC 13 2017**

An ordinance amending Chapter 345 (Zoning), Section 65, (Buffers) Section 66 (Landscaping) and Section 70 (Off-Street) Parking and Loading and Bicycle Parking) of the Jersey City Municipal Code.

| RECORD OF COUNCIL VOTE ON INTRODUCTION <b>NOV 29 2017 8-0</b> |     |     |      |               |     |     |      |                |        |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <b>DEC 13 2017 9-0</b>                      |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <b>DEC 13 2017 9-0</b> |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                                       | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 29 2017  
 Adopted on second and final reading after hearing on DEC 13 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**  
  
 Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:   
 Rolando R. Lavarro, Jr., Council President  
 Date **DEC 13 2017**

APPROVED:   
 Steven M. Fulop, Mayor  
 Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-171

Agenda No. 3.L 1st Reading

Agenda No. 4.K 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-171

**TITLE:**

**AN ORDINANCE CONSENTING TO (1) THE PURCHASE OF THE SENIOR HOUSING PROJECT LOCATED AT 1065 SUMMIT AVENUE BY MUHLENBERG SENIOR HOUSING URBAN RENEWAL LLC, (2) THE TRANSFER AND ASSIGNMENT OF THE PROJECT'S TAX EXEMPTION FROM THE CURRENT OWNER TO THE PURCHASER, AND (3) APPROVING AN EXTENSION OF THE PROJECT'S TAX EXEMPTION FOR AN ADDITIONAL THREE (3) YEARS PURSUANT TO THE LIMITED-DIVIDEND NONPROFIT HOUSING CORPORATIONS OR ASSOCIATIONS LAW N.J.S.A. 55:16-1 ET SEQ.**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, Hudson Lutheran Housing Corporation [Hudson Lutheran], is a housing corporation, formed and qualified to do business under the provisions of the Limited-Dividend Nonprofit Housing Corporations or Associations Law [the "Limited Dividend Housing Law"], as amended and supplemented, N.J.S.A. 55:16-1 et seq. [Entity]; and

**WHEREAS**, the Entity is the Owner of certain property known as Block 2102, Lots 4 and 4X, (f/k/a Block 875, Lots 63, 269, 291, 293, A, B, C and B2) on the City's Official Tax map, and more commonly known by the street address of 1065 Summit Avenue, Jersey City, New Jersey [Property]; and

**WHEREAS**, by the adoption of Resolution S-2387 on September 4, 1979, the Municipal Council of the City of Jersey City approved the tax exemption and authorized the execution of a Financial Agreement for a senior housing project consisting of 151 residential units, with a service charge calculated as 6.28% of annual gross revenue; and

**WHEREAS**, the Entity and the City executed a Financial Agreement on September 17, 1979, [Financial Agreement]; and

**WHEREAS**, on September 25, 2017, Integra Housing MW, LLC [Integra] applied (to the City for its consent to purchase of the project from the Entity by Integra's urban renewal company, Muhlenberg Senior Housing Urban Renewal LLC, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq., [the New Entity]; and

**WHEREAS**, the New Entity has agreed to assume all obligations of the previous Entity under the Financial Agreement as amended, including, but not limited to, the continuance of the affordability controls for the senior citizen occupants of the project; and

**WHEREAS**, the New Entity continue to pay to the City 6.28% of annual gross revenue; and

**WHEREAS**, the New Entity has also requested that the City extend the tax exemption for an additional three (3) years through 2022, pursuant to N.J.S.A. 55:16-18, which allows for

**WHEREAS**, the proposed amendment would increase the period of the tax exemption to a total of forty-three (43) years; and

**WHEREAS**, pursuant to Paragraph 5 and Paragraph 7 of the current Financial Agreement, the tax exemption is scheduled to expire after forty (40) years or in 2019; and

**WHEREAS**, pursuant to N.J.S.A. 55:16-14, upon written application by the New Entity, the City is required to consent to the purchase of a housing project and transfer of a tax exemption if the prospective purchaser can demonstrate that:

- 1) The project is within an area where, under the conditions existing at the time, dwellings conforming to reasonable standards of adequacy and renting at or below the average rent to be charged in the project, are not being provided in sufficient quantity through the ordinary operation of private enterprise; and
- 2) That there has been presented to the authority, in such form and with such proof as it may require, a financial plan covering the cost of lands and improvements and the operation of the project, such as shall reasonably assure the successful completion and operation of the project in accordance with the purposes of this act.

**WHEREAS**, the New Entity has demonstrated that the project is within an area where, under the conditions existing at the time, dwellings conforming to reasonable standards of adequacy and renting at or below the average rent to be charged in the project, are not being provided in sufficient quantity through the ordinary operation of private enterprise; and

**WHEREAS**, the New Entity has provided a financial plan with its application which assures the successful operation of the project in accordance with the Limited Dividend Housing Law; and

**WHEREAS**, it is in the City's best interest that the New Entity be permitted to purchase this project from the current owner, that the tax exemption originally granted to the current owner be transferred to the New Entity, and that the term of the tax exemption be extended by an additional three (3) years through 2022.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

- A. Consent for Muhlenberg Senior Housing Urban Renewal LLC to purchase the project located at Block 2102, Lots 4 and 4X, (f/k/a Block 875, Lots 63, 269, 291, 293, A, B, C and B2) and more commonly known by the street address of 1065 Summit Avenue, is hereby approved.
- B. Consent to transfer the tax exemption originally granted to Hudson Lutheran Housing Corporation to Muhlenberg Senior Housing Urban Renewal LLC, is hereby approved.
- C. Approval of the extension of the tax exemption for an additional three (3) years through 2022, pursuant to N.J.S.A. 55:16-18, is hereby approved.
- D. The New Entity agrees to assume all obligations of the previous Entity under the Financial Agreement as amended, including, but not limited to, the continuance of the affordability controls for the senior citizen occupants of the project.

- E. The New Entity will continue to pay to the City 6.28% of annual gross revenue.
- F. The Mayor or Business Administrator is hereby authorized to execute a Consent to Purchase & Assignment Agreement with Muhlenberg Senior Housing Urban Renewal LLC, in substantially similar form to the Agreement attached hereto and in accordance with the terms and conditions referenced above as well as any other terms and conditions deemed necessary or appropriate by the Corporation Counsel and the Business Administrator to effectuate the purposes of this Ordinance.
- G. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- H. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- I. This Ordinance shall take effect at the time and in the manner provided by law.
- J. The City Clerk are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.
- K. The Business Administrator is empowered to request periodic audits of the Project in order to ensure that the New Entity is fulfilling its obligations under the amended Financial Agreement

**NOTE:** All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JJH/he 11/21/17

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required

Not Required

**AN AGREEMENT BETWEEN THE CITY OF JERSEY CITY, HUDSON LUTHERAN HOUSING CORPORATION AND MUHLENBERG SENIOR HOUSING URBAN RENEWAL LLC AUTHORIZING THE PURCHASE OF THE SENIOR HOUSING PROJECT LOCATED AT 1065 SUMMIT AVENUE BY MUHLENBERG SENIOR HOUSING URBAN RENEWAL LLC AUTHORIZING THE ASSIGNMENT OF THE TAX EXEMPTION FROM HUDSON LUTHERAN HOUSING CORPORATION TO MUHLENBERG SENIOR HOUSING URBAN RENEWAL LLC, AND EXTENDING THE TAX EXEMPTION FOR AN ADDITIONAL THREE (3) YEARS TO 2022.**

**THIS AGREEMENT** is dated the \_\_\_\_ day of \_\_\_\_\_, 2017, between the **CITY OF JERSEY CITY [City]**, located at 280 Grove Street, Jersey City, New Jersey 07302, **HUDSON LUTHERAN HOUSING CORPORATION**, a New Jersey limited liability company having an office at 1065 Summit Avenue, Jersey City, NJ [Original Entity]; and **MUHLENBERG SENIOR HOUSING URBAN RENEWAL LLC**, a New Jersey limited liability company having an office at 1700 Seventh Ave., Suite 2000, Seattle, WA 98101 [New Entity].

**WHEREAS**, pursuant to N.J.S.A. 55:16-1 et seq., and Resolution S-2387 on September 4, 1979, the City approved a Tax Exemption and the execution of a Financial Agreement with Hudson Lutheran Housing Corporation [the Original Entity], pursuant to the Limited-Dividend Nonprofit Housing Corporations or Associations Law [the "Limited Dividend Housing Law"], as amended and supplemented, N.J.S.A. 55:16-1 et seq., for the construction of a senior housing project consisting of 151 residential units, and more particularly described as Block 2102, Lots 4 and 4X, (f/k/a Block 875, Lots 63, 269, 291, 293, A, B, C and B2), on the official Tax Map of the City of Jersey City [Project]; and

**WHEREAS**, the City and the Original Entity, entered into a Financial Agreement dated September 17, 1979 [Financial Agreement]; and

**WHEREAS**, pursuant to an Agreement of Sale dated July 24, 2017, the Original Entity has agreed to sell the Project and assign the Financial Agreement to the New Entity; and

**WHEREAS**, pursuant to N.J.S.A. 55:16-14 of the Limited Dividend Housing Law, upon written application by the New Entity, the City is required to consent to the purchase of a housing project and transfer of a tax exemption if:

- 1) The project is within an area where, under the conditions existing at the time, dwellings conforming to reasonable standards of adequacy and renting at or below

the average rent to be charged in the project, are not being provided in sufficient quantity through the ordinary operation of private enterprise; and

2) That there has been presented to the authority, in such form and with such proof as it may require, a financial plan covering the cost of lands and improvements and the operation of the project, such as shall reasonably assure the successful completion and operation of the project in accordance with the purposes of this act.

**WHEREAS**, by application dated September 25, 2017, the New Entity formally requested that the City give its consent and approval for the purchase of the Project, and the extension and assignment of the Financial Agreement to the New Entity; and

**WHEREAS**, the New Entity has requested the City to amend and extend the tax exemption and Financial Agreement for an additional three (3) years through 2022, pursuant to N.J.S.A. 55:16-18, which allows for a tax exemption under the Limited Dividend Housing Law for a period of fifty (50) years; and

**WHEREAS**, the proposed amendment would increase the period of the tax exemption and Financial Agreement to a total of forty-three (43) years; and

**WHEREAS**, pursuant to Paragraph 5 and Paragraph 7 of the Financial Agreement, the current tax exemption and Financial Agreement is currently scheduled for forty (40) years; and

**WHEREAS**, by adoption of Ordinance 17. \_\_\_\_ on December 13, 2017, the Municipal Council of the City of Jersey City consented to 1) the purchase of the Project by the New Entity from the Original Entity; 2) the assignment of the tax exemption by the Original Entity to the New Entity; 3) the assumption of the Financial Agreement by the New Entity; 4) the extension of tax exemption for an additional three years, through 2022; and 5) authorize the City Business Administrator to execute any documents necessary and appropriate to effectuate the foregoing; and

**WHEREAS**, the parties hereto now seek to memorialize the consent of the City to the purchase of the project and the assignment of the Financial Agreement by the Original Entity to the New Entity and the extension of the Financial Agreement by the City and assumption of the Financial Agreement by the New Entity;

**NOW, THEREFORE**, it is hereby agreed by and between the parties as follows:

1. The City hereby authorizes, approves and consents to the purchase of the project by the New Entity from the Original Entity, assignment by the Original Entity of the Financial Agreement to the New

Entity and extension of the Financial Agreement by the City and assumption of the Financial Agreement by the New Entity.

2. The City consents to the purchase of the project by the New Entity from the Original Entity.

3. The City acknowledges that as of the date hereof, the names and the addresses of the New Entity entitled to receive notice under and pursuant to paragraph 10 of the Financial Agreement shall be amended as follows: 1700 Seventh Ave., Suite 2000, Seattle, WA 98101

4. Pursuant to N.J.S.A. 55:16-14 of the Limited Dividend Housing Law, upon written application by the New Entity, the City is required to consent to the purchase of a housing project and transfer of a tax exemption if:

1) The project is within an area where, under the conditions existing at the time, dwellings conforming to reasonable standards of adequacy and renting at or below the average rent to be charged in the project, are not being provided in sufficient quantity through the ordinary operation of private enterprise; and

2) That there has been presented to the authority, in such form and with such proof as it may require, a financial plan covering the cost of lands and improvements and the operation of the project, such as shall reasonably assure the successful completion and operation of the project in accordance with the purposes of this act.

5. The City acknowledges that the Project is within an area where dwellings conforming to reasonable standards of adequacy and renting at or below the average rent in the development are not being provided in sufficient quantity through the ordinary operation of private enterprise and the New Entity has provided a financial plan with the application which assures the successful operation of the project in accordance with the Limited Dividend Housing Law.

6. Pursuant to N.J.S.A 55:16-18, which allows the tax exemption for a period of fifty (50) years, the Financial Agreement is amended to extend for an additional three (3) years through September 17, 2022 and hereby remains in full force and effect.

7. The Original Entity hereby consents to the assignment of the Financial Agreement to the New Entity.

8. The New Entity hereby agrees to assume all obligations previously belonging to the Original Entity under the Financial Agreement as of the date of this Consent Agreement including, but not limited to,

the continuance of the affordability controls for the senior citizen occupants of the project and the requirement that the New Entity will continue to pay to the City 6.28% of annual gross revenue.

9. The undersigned agree that the Business Administrator is empowered to request periodic audits of the Project in order to ensure that the New Entity is fulfilling its obligations under the amended Financial Agreement.

10. The undersigned agree that any and all capitalized terms in this Agreement shall be defined in accordance with and by reference to the Financial Agreement and/or N.J.S.A. 55:16-1 et seq.

**IN WITNESS WHEREOF**, the parties hereto have entered into this Agreement as of the date first set forth above.

**ATTESTED:**

**CITY OF JERSEY CITY**

\_\_\_\_\_  
**ROBERT BYRNE  
CITY CLERK**

\_\_\_\_\_  
**ROBERT J. KAKOLESKI  
BUSINESS ADMINISTRATOR**

**WITNESS:**

\_\_\_\_\_  
**HUDSON LUTHERAN HOUSING  
CORPORATION [Original Entity]**

**WITNESS:**

By:

\_\_\_\_\_  
**MUHLENBERG SENIOR HOUSING URBAN  
RENEWAL LLC  
[New Entity]**

By:

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-171  
 TITLE: 3.L. Nov 29 2017 4.K **DEC 13 2017**

An ordinance consenting to (1) The purchase of the Senior Housing Project located at 1065 Summit Avenue by Muhlenberg Senior Housing Urban Renewal LLC, (2) The transfer and assignment of the project's tax exemption from the current owner to the purchaser, and (3) Approving an extension of the project's tax exemption for an additional Three (3) years pursuant to the Limited-Dividend Non-Profit Housing Corporations or Associations Law N.J.S.A. 55:16-1 et seq.

| RECORD OF COUNCIL VOTE ON INTRODUCTION <b>NOV 29 2017 8-0</b> |     |     |      |               |     |     |      |                |        |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <b>DEC 13 2017 9-0</b>                     |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

**SPEAKERS:**

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <b>DEC 13 2017 9-0</b> |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                                       | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 29 2017  
 Adopted on second and final reading after hearing on DEC 13 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**  
  
 Robert Byrne, City Clerk

APPROVED:   
 Rolando R. Lavarro, Jr., Council President

Date DEC 13 2017

APPROVED:   
 Steven M. Fulop, Mayor

Date DEC 14 2017  
 Date to Mayor

\*Amendment(s):

City Clerk File No. Ord. 17-172

Agenda No. 3.N 1st Reading

Agenda No. 4.M. 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-172

TITLE:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GRAND JERSEY REDEVELOPMENT PLAN TO CREATE A NEW PARK ZONE AND REVISE OTHER GENERAL DESIGN AND DEVELOPMENT STANDARDS OF THE PLAN**

**WHEREAS**, the Municipal Council of the City of Jersey City, adopted the Grand Jersey Redevelopment Plan at its meeting of March 24, 1993, Ordinance #93-029; and

**WHEREAS**, the Municipal Council seeks to promote the continuing redevelopment of the area by amending the standards and regulations within the redevelopment plan to add a new Park District, require significant infrastructure improvements in conjunction with Park District development, and to adjust some of the general standards throughout the plan; and

**WHEREAS**, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

**WHEREAS**, the following amendments to the Grand Jersey Redevelopment Plan will be reviewed by the Jersey City Planning Board at its meeting of November 28, 4 2017; and

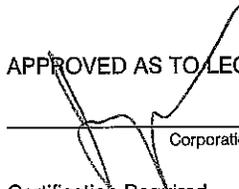
**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the recommended amendments to the Grand Jersey Redevelopment Plan be, and hereby are, adopted.

**BE IT FURTHER ORDAINED THAT:**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Annisia Gialone, AICP, Director of Planning

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED:

APPROVED:

  
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required

**SUMMARY**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF  
JERSEY CITY ADOPTING AMENDMENTS TO THE GRAND JERSEY  
REDEVELOPMENT PLAN TO CREATE A NEW PARK ZONE AND  
REVISE OTHER GENERAL DESIGN, DEVELOPMENT, AND  
RESILIENCY STANDARDS OF THE PLAN**

These amendments establish a new Park District within the southern portion of the redevelopment plan area. They also implement adjustments to the street grid within the new district and alter the development program for all redevelopment blocks within the Park District to increase the permitted number of dwelling units and at the same time require significant infrastructure improvements, public walkway, bikeway, Right-of-Way improvements and connections and the improvement of public open space.

**ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

**Full Title of Ordinance/Resolution**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE AMENDMENTS TO THE GRAND JERSEY REDEVELOPMENT PLAN TO CREATE A NEW PARK ZONE AND REVISE OTHER GENERAL DESIGN, DEVELOPMENT, AND RESILIENCY STANDARDS OF THE PLAN**

**Initiator**

|                     |                 |                                       |
|---------------------|-----------------|---------------------------------------|
| Department/Division | HEDC            | City Planning                         |
| Name/Title          | Annisia Cialone | Director of City Planning             |
|                     | Kate Lawrence   | Senior Planner                        |
| Phone/email         | 201-547-5010    | acialone@jcnj.org/ klawrence@jcnj.org |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

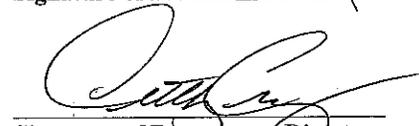
**Purpose**

These amendments establish a new Park District within the southern portion of the redevelopment plan area. They also implement adjustments to the street grid within the new district and alter the development program for all redevelopment blocks within the Park District to increase the permitted number of dwelling units and at the same time require significant infrastructure improvements, public walkway, bikeway, Right -of-Way improvements and connections and the improvement of public open space.

The new zoning will establish needed infrastructure improvement to the area and the zoning will act as a suitable urban transition to the premier open space of Liberty State Park.

**I certify that all the facts presented herein are accurate.**

  
Signature of Division Director                      11.20.17  
Date

  
Signature of Department Director                      11/21/17  
Date

# Grand Jersey Redevelopment Plan

Adopted by the Municipal Council  
City of Jersey City  
March 24, 1993 – Ord. 93-029  
Amended Sept. 25, 2002 – Ord. 02-110  
Amended Nov. 25, 2008 – Ord. 08-158  
Amended Nov. 23, 2010 – Ord. 10-149  
Amended March 23, 2011 – Ord 11-032  
Amended March 28, 2012 – Ord 12-040  
Amended May 13, 2015 – Ord 15-053

***DRAFT NOVEMBER 17, 2017***

**Division of City Planning  
City of Jersey City**

## Table of Contents

- I. Introduction
- II. Redevelopment Plan Area Boundary Description
- III. Redevelopment Plan Objectives
- IV. Proposed Redevelopment Actions
- V. General Administrative Requirements
- VI. General Development & Design Requirements
- VII. Land Use Requirements
- VIII. Circulation Plan
- IX. Open Space Plan
- X. Utility and Infrastructure Requirements
- XI. Acquisition Plan
- XII. Procedure for Amending the Approved Plan
- XIII. Implementation *by the Jersey City Redevelopment Agency*
- XIV. Severability
- XV. *Unit Count / Development Capacity Summary***
- XVI. *Maps, Regulating Plans & Standards***

## I. Introduction

The Area is situated north of Liberty State Park and just east of the New Jersey Turnpike. Those adjoining significant assets of the State of NJ are extremely influential to the redevelopment area's future. They must be considered in the design of the new neighborhood, and the suitability and appropriateness of the design is critical to the success of Grand Jersey land area as a new livable neighborhood of the City.

The original redevelopment planning for this area began in the 1960's, as reflected in the 1966 Master Plan for Jersey City, entitled "*A Time for Change*." The 1966 Master Plan envisioned an area from the northern shore of Caven Point to Grand Street to be redeveloped with a mix of new uses, including a major park along the waterfront. A quarter of a century later, the park is evident; its boundaries are set but only a fraction of its master plan has been developed. The other new uses envisioned in by the City Planning Department—residential, office, recreational, civic and commercial—have finally begun to emerge. *Additionally, as a sector historically prone to flooding and situated between the Morris Canal Basin and upland residential neighborhoods, Grand Jersey as a whole must figure into the city-wide resiliency strategy.*

This redevelopment plan contains the new Jersey City Medical Center, a new regional state-of-the-art hospital and trauma unit. Since its construction in early 2000, it has expanded by adding two medical office buildings and a parking facility. *At least one* quarter of the land area within this plan is designed to permit hospital support facilities and other related supportive uses, and allow the new facility to continue to grow with the City and its surrounding service community. Except for the hospital, no other redevelopment activity has occurred in this plan area.

Due to the historic industrial uses of the area, all of the properties within the area are brownfields as defined under NJ state law (N.J.S.A. 58:10B-23.d). They are defined as, "any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant." Environmental studies of the various properties in fact discovered significant and pervasive contamination throughout the area, with cleanup cost estimates in the tens of millions. Recognizing the need for a coordinated approach to further investigation and eventual cleanup, in 2007 the Jersey City Redevelopment Agency (JCRA) applied for a Brownfield Development Area (BDA) designation for the area to the New Jersey Department of Environmental Protection (DEP). Administered by the Office of Brownfield Reuse, the BDA initiative is designed to help communities affected by multiple brownfields to plan for and implement remediation and reuse of those brownfields in a comprehensive and coordinated manner. A Memorandum of Understanding (MOU) was executed in March of 2008 among the Steering Committee, the City, and the DEP, initiating a long-term partnership to focus available resources to develop and implement a strategic plan for remediation and reuse of the brownfield sites within the BDA.

Another asset to this area is the new mixed-use neighborhood emerging to the east known as Liberty Harbor North Redevelopment Plan. Maximizing vehicular and pedestrian connection into this new neighborhood and Liberty State Park will bolster the success of Grand Jersey and improve its connections to the existing City's fabric and form. The Circulation Plan Element of the Master Plan specifically recommends the extension of Jersey Avenue to Liberty State Park as an essential transportation improvement for the waterfront and surrounding neighborhoods.

This plan seeks to utilize the principals of Smart Growth and New Urbanism to establish a neighborhood plan with a well rounded livable community that brings re-investment and redevelopment to the area. One that will advance the fundamental development necessary to benefit society.

## II. Redevelopment Plan Area Boundary Description

BEGINNING at a point at the intersection of the centerline of Grand Street and Jersey Avenue, thence in a southerly direction along the centerline of Jersey Avenue, as same would extend to the point of its intersection with the centerline of Audrey Zapp Drive, thence in a westerly direction along the centerline of Audrey Zapp Drive to the point of its intersection with the centerline of Johnston Avenue, thence in a westerly direction along the centerline of Johnston Avenue to the point of its intersection with the easterly right-of-way line of the New Jersey Turnpike, thence in a northerly direction along the easterly right-of-way

line of the New Jersey Turnpike to its intersection with the centerline of Pacific Avenue, thence in a northerly direction along the centerline of Pacific Avenue to the point of its intersection with the centerline of Grand Street, thence in an easterly direction along the centerline of Grand Street to the point and place of the BEGINNING.

### III. Redevelopment Plan Objectives

- A. *To provide for a full range of infrastructure and other site improvements, which will result in: environmental remediation of contaminated areas within the redevelopment area; improvements to the combined sewer system; flood control and mitigation measures; and other improvements necessary to facilitate the redevelopment of the Grand Jersey Redevelopment Area.*
- B. To redevelop the Grand Jersey Redevelopment Area in a manner that will exemplify the principles of New Urbanism and implement traditional neighborhood development techniques that recognize this unique inner-city location in a street grid pattern that is open to the public.
- C. To encourage development with a mixture of building types, uses, high quality building design and an intensity of development that will allow for a self-sufficient and vibrant new community serving as a model for healthy urban growth.
- D. To provide a variety of housing types, suitable to meet the need of various household types and income levels.
- E. To provide for an intensity of development suitable to support the implementation of needed infrastructure improvements.
- F. To encourage for the redevelopment of Brownfields sites for innovative mixed-use development.
- G. To encourage innovative mixed-use development through new construction of low rise, mid rise, and high rise structures, thereby allowing greater variety in building type and design.
- H. To provide land for the development of a modern healthcare complex to serve the people of Jersey City and the surrounding area.
- I. To support the continued prosperity of the Jersey City Medical Center and the growth of the hospital support facilities within and around this area.
- J. *To allow connection to Liberty Science Center and the proposed SciTech Scity campus and foster interchange between the city's science and medical industries.*
- K. To require interconnection of uses, blocks, and streets to create integrated neighborhoods and a greater sense of community through the establishment of a traditional urban street grid pattern as described herein.
- L. To provide a layout of streets and open spaces that accommodates all possible pedestrian interconnections to the light rail stations, civic buildings, and commercial uses.
- M. To require the interconnection of the new Grand Jersey Neighborhood with existing neighborhoods to the north and southwest, as well as the emerging Liberty Harbor North Redevelopment Area to the east, through the extension of the existing and proposed street grid systems into the redevelopment area.
- N. To encourage greater use of the light rail system by providing improved access to the light rail stations in ~~Liberty Harbor North~~ *at Liberty State Park and Jersey Avenue*, and the construction of a new light rail station at Mill Creek, consistent with the HB Light Rail and New Jersey Transit long term plans.

- O. Provide an appropriate intensity of development to support the proposed improvements within the Redevelopment Area including environmental cleanup of contaminated sites and infrastructure improvements.
- P. To provide adequate R-O-W widths to accommodate the building heights permitted within the area, avoid the canyon effect, provide for necessary light and air and generous shared bikeway and pedestrian traffic flow in addition to the typical vehicular accommodations.
- Q. To provide a new major public open space through the remediation and redesign of the Mill Creek outfall area, consisting of passive naturalized areas, paths, sitting areas, and other similar facilities.
- R. To foster public access to the waterfront and promote improved multi-modal and pedestrian access to Liberty State Park.
- S. To provide a more efficient use of land and public services by directing development in a pattern that resembles traditional blocks of mixed- and multiple-use development with varied housing types.
- T. To construct new infrastructure including but not limited to *sanitary* sewer and *storm* water treatment improvements *and flood protections, such as: netting chambers, regulator and trunk sewer lines for the Mill Creek outfall area, streets,* as well as provide open space and other public improvements in order to benefit this new neighborhood and the City overall.
- U. To alleviate traffic congestion by reducing sprawl, permitting mixed use buildings, and limiting the creation of new parking, encouraging shared parking and increased mass transit usage.
- V. To implement the creation of places which are oriented to the pedestrian, promote citizen security, social interaction and provisions for public art.
- W. To implement developments where the physical, visual, and spatial characteristics are established and reinforced through the consistent use of thoroughfare, urban, and architectural elements.
- X. To promote the principles of “Smart Growth” and “Transit Village” development (e.g.: sustainable economic and social development, including a variety of housing choices, providing pedestrian friendly streets and public rights-of-way, minimize automobile use by maximizing the appeal and access to mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities).
- ~~Y. To promote principles of a “Transit Village.” The intent of a “Transit Village” is to promote pedestrian friendly streets and public rights-of-way, to minimize automobile use by maximizing the appeal of mass transit and to encourage reduced parking and shared use parking solutions.~~
- Z. To identify and preserve significant historic features and cultural characteristics in the Redevelopment Plan Area and incorporate appropriate, informational, interpretive amenities.
- AA. Identify and implement the use and development of sustainable utilities and promote effective utility management. Explore all new and progressive solutions to maximize the sustainability of this new community.

#### IV. Proposed Redevelopment Actions

It is proposed to sustainably improve and upgrade the Grand Jersey Redevelopment area *through* a combination of redevelopment actions. These will include, but not be limited to:

- A. Clearance of dilapidated structures

- B. Remediation of contaminated areas
- C. Assembly into developable parcels the vacant and underutilized land now in scattered and varied ownership
- D. Construction of new structures and complementary facilities
- E. Construction of a street grid system to service and support the new development as well as maximizing its connections to existing streets in the surrounding areas
- F. Construction of a full range of public infrastructure necessary to service and support the new development
- G. Construction of a new light rail station within the Redevelopment Area
- H. Construction of the Jersey Avenue Extension
- I. Establish new parks and public open spaces
- J. *Provide protective and adaptive measures to address tidal flooding generally and 100-year flooding events, at a minimum, in coordination with Jersey City's Resiliency Master Plan and NJDEP requirements.*

## V. General Administrative Requirements

The following provisions shall apply to all property located within the Grand Jersey Redevelopment Area.

- A. **Planning Board Approval** – Prior to the commencement of: (a) any new construction, (b) reconstruction, (c) rehabilitation, (d) any change in use of any structure or parcel, or (e) any change in the intensity of use of any structure or parcel; a site plan for such shall be submitted by the developer or property owner to the Planning Board for review and site plan approval. *No developer, land owner, or any other person or entity shall be entitled to file an application for development or site plan approval without first entering into a redevelopment agreement with the JCRA as required in Section XIII of this Redevelopment Plan. Notwithstanding the foregoing, a developer, redeveloper, landowner, or other person or entity undertaking a development project on Block 14001, Lots 1 and 2; and/or Block 15801, Lot 6 of the tax map of Jersey City shall be exempt from the requirement to first enter into a redevelopment agreement with JCRA.* No Building Permit shall be issued for any work associated with (a) through (e) above without site plan review and approval of such work by the Planning Board.
- B. **Plan Duration** – The provisions of this Plan specifying the redevelopment of the Area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the Jersey City Municipal Council. Subsequent amendments hereto shall neither alter nor extend this period of duration, unless specifically extended by such amendments.
- C. **Site Plan Review of the Planning Board** – Site plan review shall be conducted by the Planning Board, pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of a preliminary and final site plan application. Submission of a site plan and site plan application shall conform to the requirements of the Jersey City Zoning Ordinance and this Plan. Applications may be submitted for an entire project or in phases. Final Site plan approval for any phase shall entitle an applicant to building permits.
- D. **Performance Guarantees** – As part of final site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Planning Board attorney.

The amount of any such performance guarantees shall be determined by the City Engineer in conformance with applicable law, and shall be sufficient to assure completion of site improvements within one (1) year of ~~final site plan approval~~ *the issuance of a Certificate of Occupancy for the project*, or such other time period as determined by the Planning board if particular circumstances dictate a longer time frame.

- E. **Subdivision by the Planning Board** – Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan’s requirements and the Jersey City Land Ordinances.
- F. **Adverse Influences** – No use or re-use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxins or noxious fume, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety, and general welfare.
- G. **Non-conformance** – *All pre-existing uses inconsistent with this plan are considered non-conforming under this plan.*
- H. **Demolition** – *Upon demolition of any existing structures, the site shall be graded, seeded, or covered with a dust free surface, unless new construction is to commence within 90 days, or the site is subject to remediation for environmental conditions, or will be used for construction staging or other similar conditions.*
- I. **Interim Uses** – Interim uses, *including surface parking*, may be permitted, subject to site plan review and approval by the Planning Board. The Planning Board shall only permit uses that it finds will not have an adverse effect upon surrounding existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board. The Board shall establish an interim use period of up to three (3) years in duration. The Planning Board may grant additional renewals of interim uses upon application, review, and approval.
- J. **Deviation Clause** – The Planning Board may grant deviations from such strict application of the regulations contained within this Redevelopment Plan, except those standards and regulations specified in the paragraph below, so as to relieve difficulties or hardships where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, physical features uniquely affecting a specific piece of property, or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation included within this Redevelopment Plan would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant a deviation from the regulations contained within this Redevelopment Plan wherein an application related to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict application of the requirements of this Plan, and the benefits of granting the deviation would outweigh any detriments. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12.a & b.

No deviations shall be granted which have any one of the following effects:

1. Exceeding the maximum development capacity of either square footage or dwelling units, as ~~required~~ *permitted* according to the Regulations and Standards and Unit Count / Development Capacity Summary of this Redevelopment Plan.
2. Varying the minimum or maximum number of stories or their location and other requirements as outlined in the *Building Height* Regulating Plan.

3. Increasing or decreasing story height from that which is specifically permitted in the ~~Building Design Standards~~ *Land Use Requirements*.
4. Varying in any way from the Land Use Requirements of this Plan.
5. Varying the grid-like pattern of the Street Network / Circulation Plan, as generally described in the Circulation Plan section of the Redevelopment Plan in relation to street type, R-O-W width, and pavement width ~~beyond normal~~ *except as necessary to accommodate* adjustments encountered during survey synchronization *and/or the location of lot lines and rights-of-way lines as approved by the Planning Board as part of final major subdivision approval.*
6. Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented.

Provided, however, that if the Planning Board shall find that in the context of a particular development application a property owner would be denied the beneficial use and enjoyment of their property because of the application of a particular requirement of the Redevelopment Plan, it shall be authorized to grant a deviation from that portion of the Plan.

- ~~K.~~ **Phasing** – Any applicant seeking to develop properties located within this Redevelopment Plan Area shall be required to provide a Phasing Plan for review and ~~approval~~ by the Jersey City Planning Board, which shall establish parameters *and time frames* under which Public Improvements ~~within the property owned or controlled by the applicant~~ *required as part of the development project* shall be constructed in conjunction with permitted residential, retail, and commercial development.

*“Public Improvements” shall be defined as public utility and infrastructure improvements; public rights-of-way, sidewalks and other circulation improvements; parks, open space and other community facilities; resiliency and flood mitigation improvements; and other similar improvements required under this Plan.*

*The phasing plan must be included within the required Redevelopment Agreement between the JCRA and the applicant. The Jersey City Redevelopment Agency shall be responsible for enforcing the requirements of the Phasing Plan pursuant to section XII. of this Redevelopment Plan and in accordance with NJSIA 40A:12A-4.c.*

- L.** *Promotion – To facilitate the overall redevelopment of the surrounding area and the City of Jersey City in general, all advertising, signage and other promotion of the development and redevelopment of the area shall contain references to the proposed project's location in the City of Jersey City to promote the positive aspects of the projects, the redevelopment area, and the City of Jersey City.*

## VI. General Development & Design Requirements

### A. Building Design Requirements

1. All new structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of material, light, air and usable open space, access to public rights-of-way and off-street parking, height, setback, and bulk. A visual cue shall be established on the 3<sup>rd</sup> or 4<sup>th</sup> floor level. Below the cue shall be the design of the building base which shall differ from the building middle above the cue.
2. Buildings shall be designed so as to be attractive from all vantage points, such that ~~the same~~ *compatible* materials, fenestration, and detailing are used on all faces and sides of the building. No blank walls shall be permitted on any building *except as an interim result due to project phasing.*

3. The roofscape shall be referred to as the 5<sup>th</sup> façade. Any utilities shall be screened from street view and obscured from views looking down on the rooftop.
4. Buildings shall have a clear base, middle, and top. Architectural devices, such as string courses, cornices, sub-cornices, lintels and sills, and/or horizontally differentiating surface treatments shall be used to achieve the necessary transitions.
5. Building face material to be used on all sides shall be primarily of brick (~~Standard Modular or Standard Normal sizes only~~), glass, stone, wood, or metal. EIFS (Exterior Insulating Finishing Systems), cementitious concrete systems, stucco, artificial stone, CMU size/type block, ~~jumbo brick~~, vinyl and/or aluminum siding, and artificial brick veneer such as permastone or brickface, and plastic type artificial siding materials shall be prohibited as building cladding within this Redevelopment Area.
6. Building areas used to house transformers and other mechanical equipment or utilities shall be architecturally masked in a manner consistent with the design of the building, incorporating such elements as false windows and dispersed venting to maintain the window rhythm and building pattern design. (A wall of venting for mechanical rooms and/or a wall of utility style doors to access the equipment is not acceptable.) Any *mechanical* louvers within the building base must be screened with decorative grates over them.
7. Main building entries shall be prominent, easily identifiable, and connect directly to the public sidewalk ~~so as~~ to contribute to the overall liveliness of the pedestrian environment. Service or utility entrances shall not be located along a street frontage and must be notched into the building as a service corridor or alley. Alternatively, they may be located within a structured garage portion of the building.
8. The windows and glazing of a building are a major element of style that gives character to the building. Windows and glazing on ground floor commercial uses, if any, should be broad and expansive, providing views into the store and display areas. At least seventy (70%) percent of the storefront façade shall be glass. Corner buildings shall have windows on both street frontages. If security gates are used on any part of the building or window, they shall be installed on the interior side of the window, hidden from view when not in use, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive, allowing views to and from adjoining streets.
9. Windows in residential portions of a building shall be arranged in a contemporary and organized manner. When architecture is of a traditional style, windows shall contain both lintels and sills. When a contemporary design is chosen, lintels and sills may be inappropriate. The tops of windows and doors shall be designed to avoid confusing perspective views. Windows shall not be scattered in a haphazard manner in the façade. Bay windows or other window features may be incorporated into the façade to provide architectural interest and character. Bays may be designed vertically or horizontally and may be angular. Random window patterns are prohibited. *Except where fronting onto a service road, corner buildings shall have windows on both street frontages. Where fronting onto the turnpike, building levels located entirely above the elevation of turnpike shall have windows on that frontage.* The window sill of any residential window shall not be less than six (6) feet above the elevation of the adjoining sidewalk *unless screened by a private front yard.*
10. Balconies and terraces may extend from the building when facing into interior courts. ~~However, all balconies~~ *Balconies* facing onto streets shall *not* extend ~~no more than 19 inches from the building face into public rights-of-way~~. All railings shall be designed to be semi-opaque in order to screen the view onto balconies. Tubular metal railing and fencing are prohibited on balconies and terraces. The detailing of all balconies and terraces shall be subject to review and approval by the Planning Board.

11. The mechanical equipment, generators, HVAC equipment, and similar equipment shall be visually screened such that they are not visible from adjacent buildings or public areas, even when located on the roof. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same or complementary materials used in the construction of the building, such that the screening appears to be an integral part of the building. Interior locations must be utilized where mechanically possible. Additionally, this equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey for residential locations.
12. All electronic communication equipment shall be visually buffered such that they are screened from view. This shall be achieved through creative disguises within the basic architecture of the building, such that it does not negatively impact the appearance of the building. Said screening shall be constructed in a manner that is consistent with the architecture of the building and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building. Said equipment shall be located so as to minimize or eliminate the need for screening. Reference shall be made to the Wireless Communications section of the Jersey City Land Development Ordinance for appropriate permitted locations for these facilities.
13. All trash storage areas shall be located within buildings or parking structures.
14. All new townhouse and similar style residential liner buildings shall have a raised stoop to the front entrance of the dwelling unit. The stoop shall contain at least four (4) steps. *Where site grading prevents such a stoop, a private front yard shall provide privacy for the front entrance of the dwelling unit.*
15. The front yards of all new townhouse and similar style residential liner buildings shall provide decorative fencing along the property line a minimum of two (2) feet and a maximum of four (4) feet in height.

**B. Sustainable Design Requirements**

1. All new buildings will be required to comply with the most current LEED Rating System *standards* or other *comparable* sustainable building program *standards* acceptable to the Jersey City Planning Board such as the NJ Green Building Manual. *If the City of Jersey City develops and duly adopts additional or substitute sustainable design standards, then those standards shall be applicable to new development projects within this Redevelopment Area.*
2. These ratings systems and development standards are designed for use during the design and construction phases of a building. For example, ~~LEED-NC~~ *the LEED Rating System* addresses the environmental impacts of site and materials selection, demolition, and construction. LEED-NC facilitates and encourages project teams to use an integrated design approach from start to finish, resulting in buildings with lower impact on occupants and the environment, and a positive economic impact for owners. Additionally, the ~~LEED-NC~~ Rating System promotes improved practices in site selection and development, water and energy use, environmentally preferred construction products, finishes, and furnishings, waste stream management, indoor environmental quality, and innovation in sustainable design and construction.
3. All buildings will be required to achieve *comply with* a minimum of *LEED Certified* level *standards* or other *comparable* sustainable buildings program *standards* acceptable to the Jersey City Planning Board, *but need not apply for or be granted a certification through LEED or any other program.* Silver credits will be awarded based on five (5) categories of performance: ~~LEED performance is based on several categories, including but not limited to: Location and Transportation, Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, and Indoor Environmental Quality.~~ Projects can earn additional points under and Innovation in Design category, through demonstrating exceptional performance of LEED Requirements, *and Regional Priority, by addressing geographically specific environmental priorities.*

4. Any single development comprising one block or more is required to comply with the “LEED for Neighborhood Development” rating system or other *comparable* sustainable development program acceptable to the Jersey City Planning Board, *but need not apply for or be granted a certification through LEED or any other program*. LEED for Neighborhood Development is intended to revitalize existing urban areas, reduce land consumption, reduce automobile dependence, promote pedestrian activity, improve air quality, decrease polluted stormwater runoff, and build more livable, sustainable communities for people of all income levels.
5. Neighborhood Developments will be required to ~~achieve~~ *comply with* a minimum of *LEED Certified level standards* or other *comparable* sustainable development programs *standards* acceptable to the Jersey City Planning Board, *but need not apply for or be granted a certification through LEED or any other program*. The project can achieve a variety of points from four separate categories *including but not limited to*: Smart Location and Linkage, Neighborhood Pattern Design, Green Construction and Technology *Infrastructure & Buildings*, and Innovation and Design; *and Regional Priority*. Points are also available within the LEED for Neighborhood Development rating system for including LEED Certified buildings and for integrating green building practices within the buildings in the neighborhood.
6. *Developments shall include non-structural stormwater management strategies and best management practices to the extent feasible.*

**C. Resilient Design Requirements**

1. *All residential portions of new habitable structures must be above the 100-year floodplain.*
2. *All new structures and improvements must be built in accordance with the standards of the NJDEP Flood Hazard Area Control Act Rules and ASCE 24 Flood Resistant Design and Construction to the extent practicable.*
3. *All elevator, mechanical, electrical, and telecommunication equipment must be elevated above the 100-year flood elevation or be designed to function during a 100-year flood event.*
4. *Each project shall submit a Flood Mitigation Plan in collaboration with the City Engineer and the Division of City Planning to highlight how the development will address the impacts of a 100-year flood event.*

**D. Parking & Bicycling Design Requirements**

1. Required parking provisions – all new construction shall provide parking as follows:

| Use                           | Min. Parking                                       | Max. Parking     | Min. Interior Bike Storage Units for Residents/Employees | Min. Public Outdoor bike Parking |
|-------------------------------|--|------------------|--|----------------------------------|
| Residential                   | <i>no requirement</i>                              | 0.75 per unit    | 0.50 per unit  | 1 per 20 du                      |
| Office                        | <i>0.50 per 1,000 sf, excluding first 2,500 sf</i> | 0.6 per 1,000 sf | 1 room per floor   | 1 per 10 auto spaces             |
| Medical Office                | <i>0.50 per 1,000 sf</i>                           | 1 per 1,000 sf   | 1 room per floor   | 1 per 10 auto spaces             |
| Hospital                      | <i>0.25 per bed</i>                                | 0.75 per bed     |  | 1 per 20 employees               |
| Assisted Living/ Nursing Home | <i>0.20 per bed</i>                                | 0.5 per bed      | 1 room per floor   | 1 per 20 employees               |
| Senior Housing                | <i>No requirement</i>                              | 0.5 per unit     | 1 room per floor   | 1 per street frontage            |

|                     |                       |                 |  |                         |
|---------------------|-----------------------|-----------------|--|-------------------------|
| Retail & Restaurant | <i>No requirement</i> | 2 per 1,000 sf  |  | 0.3 per person capacity |
| Hotel               | <i>No requirement</i> | 1.0 per room    |  | 1 per 20 employees      |
| School              | <i>No requirement</i> | 1 per classroom |  | 1 per 4 students        |

- i. *Bicycle parking shall be provided pursuant to the requirement of the Jersey City Land Development Ordinance Section 345-70.C. Where the expected need for bicycle parking for a particular use is uncertain due to unknown or unusual operating or use characteristics, the Planning Board may authorize that not more than 50% of the bicycle spaces be deferred. Land area required for the provision of deferred bicycle parking shall be maintained in reserve.*
2. Shared parking is permitted and encouraged. When parking is shared, it may be provided in the same building as the principal use or in another building within the Redevelopment Area and the spaces may be double counted, provided the overlap of the peak use for each shared user accommodates a reasonable supply of parking at any given time.
  3. Garage Screening
    - i. All parking levels shall be masked from the street by habitable building uses, either commercial or residential. Parking structures located within the Medical District, ~~as well as~~ municipal parking garages *and frontages as noted in the Frontage Regulating Plan* are not required to be masked by habitable building uses as described above. However, the structure shall be articulated to resemble a habitable building in a manner consistent with the architectural design of the other buildings in the district and surrounding area *and must ensure that headlights will be screened.*
    - ii. No mid-block parking structure shall be higher than the height of the shortest building masking it.
    - iii. All *accessory* parking structures shall *provide* be covered by a landscaped deck, aka a green roof, *a green roof or a landscaped deck that provides* providing open space for residents, users of the building if non-residential, urban agriculture, and/or other recreational uses permitted within the plan area.
    - iv. Underground parking may be placed directly against the street frontage where it is a maximum of three (3) feet above grade and hidden by a foundation wall articulated to appear as a basement, with small vertically-proportioned glazing openings, and the use in the first floor above is residential and not required retail.
    - v. Surface parking is not permitted except in special circumstances as an interim use.
  4. Curbing shall be poured-in-place concrete, tinted charcoal gray or granite curbing as approved by the Planning Board. Asphalt curbing and/or anchored railroad ties are prohibited. Curbs must run straight down to the asphalt roadway edge; gutter-pan type curbing is not permitted.
  5. Pedestrian entrances/access ways from the public sidewalk into parking structures shall be separated from the vehicular entrance and located such that the pedestrian pathway is not shared with the vehicular access ramp. *This may be accomplished through the provision of a pedestrian sidewalk adjacent to the vehicular driveway.*
  6. Vehicular entrances to parking structures shall be designed as architecturally compatible openings in the façade of the building and shall not be merely gaps between buildings.

7. Loading areas

- i. Shall be provided within the building as required and accessed through an access drive leading to the service area. If parking is provided within the building, access ramps shall share the loading ramp openings to the degree possible to produce the least number of breaks in the façade. Developers shall demonstrate to the satisfaction of the Planning Board that sufficient off-street loading will be provided to meet the needs of the proposed use with the minimum on-street disruption. This is typically met by providing a thru-route through the garage ground floor level for truck deliveries and pick-up/drop-off needs such as food delivery, mail service, etc.
- ii. All loading bays shall be located completely within the building and be equipped with attractive doors and auto close mechanisms to avoid prolonged openings.

E. Signage Requirements

No signs or window graphics other than those specifically enumerated herein shall be permitted.

1. Under no circumstances shall fluorescent or glowing paint be permitted for any signage within the area.
2. All signage shall be subject to site plan review and approval by the Planning Board. Minor site plan review is permitted when proposed signage is not included as part of a major site plan application.
3. Billboards are expressly prohibited throughout the Redevelopment Area.
4. Rooftop, flashing, moving or intermittently illuminated signs or advertising devices are prohibited, as are signs that may be mistaken for traffic control devices.
5. Freestanding signs are prohibited, except for way-finding identification as per City standards shall be permitted.
6. No sign shall be attached above the first story of any structure.
7. All signage shall be externally lit. Signs may be lit from gooseneck fixtures, backlit halo, and up-lights. Internally lit signs and sign boxes are prohibited.
8. Permitted signage material include: 1) Painted Wood; 2) Painted metals including aluminum and steel; 3) Brushed finished aluminum, stainless steel, brass, or bronze; 4) Carved wood or wood substitute.
9. All signs shall be flush mounted, although blade signs may be attached to and perpendicular to the first floor façade.
10. Window logo signs (other than lettering or logo as specifically permitted below) shall be prohibited. Lettering and logo shall be limited to the name of the business occupying the commercial space/storefront, and shall cover no more than twenty (20%) percent of the window area.
11. All buildings within the Redevelopment Area shall display the street address of the building such that it is clearly visible from the adjoining street right-of-way but not appear oversized to the pedestrian walking past the building. Display of a phone number, e-mail address, individual services, and other contact information is prohibited.
12. The following additional signage restrictions shall apply to specific uses:

- i. Office, Civic, School: Total exterior signage shall not exceed fifty (50) square feet. One (1) use shall be permitted no more than one (1) sign. Buildings with multiple uses shall not have more than one (1) sign per use, and the aggregate of all signs shall not exceed the maximum area permitted. Uses located on a corner may have one (1) sign on each street frontage. However, they shall not exceed the aggregate permitted per building.
- ii. Residential: One (1) sign per building may be allowed, not to exceed twenty (20) square feet.
- iii. Hotel, Retail, Restaurant, and other commercial uses not specifically identified: Each establishment is allowed one sign and one blade sign per street frontage. (Establishments on corners are thus allowed two sets of signs.) Signage shall not exceed eighteen (18) inches in the vertical dimension. Blade signs shall not exceed eighteen (18) inches in vertical dimension.
- iv. Parking: The location of parking facilities may only be indicated by use of the international parking symbol. Said signage may not exceed five (5) square feet and must be flush mounted to the building. Informational, pricing, and directional signage may be provided for garages within the building.

13. Prohibited Signage: The following signs and devices shall not be permitted within the Grand Jersey Redevelopment Area:

Monument signs and internally or externally illuminated box signs, flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle, roof signs, billboards, signboards, window signs, posters, plastic or paper that appears to be attached to the window, pole signs, free-standing signs, fluorescent and/or glowing paint for any signage or building within the redevelopment area, waterfall style awnings, plastic awnings, product advertising signage of any kind. Product advertising signage is defined here to include, but not be limited to signage on: parking meters, signage in windows, on light poles, and on benches or other street furniture within the Redevelopment Area.

F. Master Plan Compliance

The Grand Jersey Redevelopment Plan is in ~~compliance~~ **compliance** with the Jersey City Master Plan. The Jersey City Master Plan specifically calls out this area as mixed use. There is no significant relationship of this Plan to the Master Plan of any contiguous municipalities. The Master Plan of the County of Hudson is not contrary to the goals and objectives of the Jersey City Master Plan. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's Plan both recognize the need to rebuild inner cities. Jersey City is recognized in the State Plan as an "urban center" and is considered in the top priority for funding to help revitalize itself.

## VII. Land Use Requirements

A. Mixed-Use Development District

This district is intended to provide for the development of a mixed-use neighborhood, utilizing "New Urbanism" planning and design principals. It is the intention of these regulations that the district be developed as in integrated whole by a consortium of developers operating in a coordinated manner, and who must all be designated redevelopers by the Jersey City Redevelopment Agency.

Redevelopers shall be responsible for construction of the improvements necessary to support the permitted scale and scope of the proposed development.

1. Permitted Uses

- i. Residential
  - ii. Offices
  - iii. Hotels
  - iv. Civic/Governmental, including municipal parking structures
  - v. Schools, colleges, and related facilities
  - vi. Retail sales of goods and services
  - vii. Open space, parks, urban agricultural facilities
  - viii. All uses permitted within the Hospital district
  - ix. Utilities, except that natural gas transmission lines shall be prohibited
  - x. Accessory uses to the above
  - xi. Mixed-use of the above
2. Prohibited Uses – Drive-thru facilities for banks, restaurants, pharmacies, and other commercial uses shall be prohibited.
3. Building & Architectural Requirements:
- i. All floors above the first floor shall have a minimum floor-to-ceiling height of ~~9.8.5~~ 9.8.5 feet and a maximum of 12 feet. *Areas containing indoor amenity spaces, such as recreation rooms, screening rooms, exercise facilities, etc may have a maximum floor-to-ceiling height of 20 feet.* Residential units on the first floor shall have a minimum floor-to-ceiling height of at least 1 foot higher than the residential floors above.
  - ii. Ground floor commercial areas shall have a minimum floor-to-ceiling height of 14 feet. In addition, ground floor commercial space may include a mezzanine level, which shall not be counted as a floor.
  - iii. The floor of all *residential units* residential uses provided on the first floor of any building shall be located at least 48 inches above finished grade adjoining the building *to provide a level of visual privacy for these units from the adjoining sidewalks. Where site grading and flood elevations do not permit vertical separation, the window wall of such residences shall be set back a minimum of 5 feet and a maximum of 15 feet from the sidewalk line to provide for a front yard, enclosed in a 2-4 foot high fence, creating a private landscaped or patio area.*
  - iv. Parapets and other rooftop appurtenances may exceed the permitted height within the limitations imposed by the City of Jersey City Land Development Ordinance.
4. Maximum Permitted Intensity of Development:
- i. Requirements depicted in the Unit Count / *Development Capacity* Summary Table
  - ii. Non-residential uses provided in areas where ground floor retail is required shall be allowed in addition to the permitted unit count/ density.

## 5. Required Setbacks

- i. Residential buildings of 6 stories or less shall be set back a minimum of 5 feet and a maximum of 10 feet from the street right-of-way line to provide for a front yard enclosed in a 3 1/2 foot high fence, creating a private landscaped or patio area. Where storefronts are provided in conformance with the Frontage Regulating Plan, no setback shall be required along the retail frontage, and the building shall meet the streetline or located as necessary to provide the required sidewalk width. (See also the typical street cross sections provided within the Redevelopment Plan.) *No front setbacks are required; however, all stoops and front gardens must be within property lines and not encroach into the public Right-of-Way.*
- ii. Residential building walls *windows* shall not be closer than 60 feet to any other wall facing said *window* wall in order to provide adequate air and light to interior portions of development blocks and to residential structures.

## 6. Required Stepbacks

- i. *Stepbacks shall be required per section XVI.B., Exhibits 12-15.*
- ii. A minimum stepback of 5 feet shall be required at the top of the base *fifth level* of any proposed structure above 5 stories.
- iii. For any structure taller than 15 stories, an additional minimum stepback of 5 feet shall be required *at the 15<sup>th</sup> level.*

## B. Hospital District

This district is intended to provide for the anchor development of the Jersey City Medical Center, as well as ancillary and accessory support facilities and other medical related uses and facilities.

### 1. Permitted Uses

- i. Hospitals
- ii. Rehabilitation and convalescent facilities
- iii. Ambulatory care facilities and other similar medical treatment facilities
- iv. Medical office buildings
- v. Nursing homes and assisted living facilities
- vi. *Medical research and laboratory facilities*
- vii. Retail sales of goods and services
- viii. Civic/Governmental uses
- ix. Schools, colleges
- x. *Structured parking facilities*
- xi. Utilities, except that natural gas transmission lines shall be prohibited

xii. Mixed-uses of the above

2. Permitted Height: Maximum building height shall be ten (10) stories
3. Additional Height Requirements: Parapets and other rooftop appurtenances may exceed the permitted height.
4. Maximum Permitted Intensity of Development:

Maximum floor area ratio shall not exceed 4.0. Floor area shall not include areas dedicated to parking, loading, utility, equipment, mechanical rooms and other similar spaces, but shall include treatment areas and rooms and spaces containing medical equipment.

5. Required Setbacks

- i. All buildings and structures shall be set back a sufficient distance to provide the required sidewalk widths adjacent to the building.
- ii. Other setbacks shall be indicated as necessary on all site plans and shall be subject to Site Plan review and approval by the Jersey City Planning Board.

C. Utility Support District

This district is intended to provide for the continued development and maintenance of the Public Service Electric and Gas Company Substation located generally at the corner of Pacific Avenue and Grand Street.

1. Permitted Uses – a single utility/substation facility with a maximum height of 35 feet, except that natural gas transmission lines shall be prohibited.
2. Required setbacks and landscaping:

All buildings, structures, and equipment not requiring immediate frontage on a street shall be set back a sufficient distance to provide a dense landscaped buffer of evergreen and ornamental deciduous plant material along all property lines. Decorative fencing and/or a decorative masonry wall shall be provided along all street lines to match the existing fence and wall on Pacific Avenue. Setbacks shall be indicated on all submitted site plans and shall be subject to site plan review and approval by the Jersey City Planning Board.

***D. Park District***

*This district will utilize "New Urbanism" planning and design principals to integrate extensive new open space and highly controlled building forms to transition from the from the urban density of the northern portion of the Grand Jersey Redevelopment Area into the expansive open space of Liberty State Park. It is the intention of these regulations that the district be developed as in integrated whole and includes the development of public open space as an integral part of the new neighborhood as the development proceeds in phases and allows for connections to Liberty Science Center and SciTech Scity.*

***1. Permitted Uses***

- i. Residential***
- ii. Offices, including medical offices***

- iii. *Hotels*
- iv. *Civic/Governmental, including municipal parking structures*
- v. *Schools, colleges, and related facilities*
- vi. *Retail sales of goods and services*
- vii. *Restaurants, bars and nightclubs*
- viii. *Open space, parks, urban agricultural facilities*
- ix. *All uses permitted within the Hospital district*
- x. *Utilities, except that natural gas transmission lines shall be prohibited*
- xi. *Accessory uses to the above*
- xii. *Mixed-use of the above*

2. *Prohibited Uses – Drive-thru facilities for banks, restaurants, pharmacies, and other commercial uses shall be prohibited.*

3. *Building & Architectural Requirements:*

- i. *All floors above the first floor shall have a minimum floor-to-ceiling height of 9 feet and a maximum of 12 feet. Areas containing indoor amenity spaces, such as recreation rooms, screening rooms, exercise facilities, etc may have a maximum floor-to-ceiling height of 20 feet.*
- ii. *Ground floor commercial areas shall have a minimum floor-to-ceiling height of 14 feet. In addition, ground floor commercial space may include a mezzanine level, which shall not be counted as a floor. Ground floor levels with mezzanines may be no higher than 24 feet in total.*
- iii. *The floor of all residential units on the first floor of any building shall be located at least 48 inches above finished grade adjoining the building to provide a level of visual privacy for these units from the adjoining sidewalks. Where site grading and flood elevations do not permit vertical separation, the window wall of such residences shall be set back a minimum of 5 feet and a maximum of 15 feet from the sidewalk line to provide for a front yard, enclosed in a 2-4 foot high fence, creating a private landscaped or patio area.*
- iv. *Parapets and other rooftop appurtenances may exceed the permitted height within the limitations imposed by the City of Jersey City Land Development Ordinance.*

4. *Maximum Permitted Intensity of Development:*

- i. *Maximum Dwelling Unit Counts are depicted in the Unit Count / Development Capacity Summary.*
- ii. *Non-residential uses provide in areas where ground floor retail is required shall be allowed in addition to the permitted unit count / density.*

- iii. *The maximum number of dwelling units on Blocks 14 and 16 may be increased or decreased by up to 25%, provided that a like number of dwelling units are added or deducted from the other development Block (14 or 16); such that the total maximum number of permitted dwelling units shall not be exceeded. The maximum permitted intensity for each block shall also be adjusted accordingly.*

**5. Required Setbacks**

- i. *Residential frontages facing a public park shall be set back a minimum of 5 feet and a maximum of 15 feet from the street right-of-way line to provide for a front yard enclosed in a 2-4 foot high fence, creating a private landscaped or patio area. Where storefronts are provided in conformance with the Frontage Regulating Plan, no setback shall be required along the retail frontage, and the building shall meet the streetline or located as necessary to provide the required sidewalk width. (See also the Thoroughfare Design Standards provided within the Redevelopment Plan.) All stoops and front gardens must be within property lines and not encroach into the public Right-of-Way.*
- ii. *Residential windows shall not be closer than 60 feet to any other wall facing said window to provide adequate air and light to interior portions of development blocks and to residential structures.*

**6. Required Stepbacks**

- i. *A minimum stepback of 5 feet shall be required at the fifth level of any proposed structure of 6 to 12 stories.*

**E. Development Requirements are depicted on the following Maps, and Table *Regulating Plans & Standards found in Section XVI of this Redevelopment Plan.***

- ~~1. Land Use Map~~
- ~~2. Superimposed Block Identification Map~~
- ~~3. Frontage Regulating Plan~~
- ~~4. Vehicular Circulation Plan~~
- ~~5. Transit Plan~~
- ~~6. Open Space and Recreation Facilities Plan~~
- ~~7. Regulating Plan~~
- ~~8. Thoroughfare Section Reference and Thoroughfare Design Standards~~
- ~~9. Unit Count/Development Capacity Summary~~

**F. Formula Business Provisions - All commercial retail areas within each structure or within a single tax lot shall limit formula business establishments, as defined by the Land Development Ordinance, to a maximum of 30% of ground floor gross leasable commercial area. For the purposes of this area restriction, the formula business definition shall apply to the following uses, whether functioning as a principal or accessory use:**

- 1. Retail sales of goods and services.

2. Restaurants, all categories.
3. Bars.
4. Financial service facilities and banks.

Grocery stores greater than 15,000 square feet may exceed 30% of gross leasable commercial area, but shall be the only formula business within such structure or lot.

## VIII. Circulation Plan

- A. The required street network is depicted on the Street Network / *Circulation* Plan.
- B. All utilities shall be provided below ground on site and along the rights-of-way of the Redevelopment Plan.
- C. The Planning Board shall also require the additional construction of all streets and avenues they find warranted to provide adequate and safe ingress and egress to the project or completed portion of the Redevelopment Plan Area.
- D. No building or structure shall be located within areas designated as street thoroughfares of this Plan.
- E. Sidewalk areas, including all light rail pedestrian crossings, shall be properly paved, landscaped, and lighted, consistent with the requirements of this plan, the approved design plans, and sound planning and design principles.
- F. Traffic signalization shall be installed by the redeveloper, as determined necessary by the Planning Board.
- G. In maintaining the interconnected and comprehensive nature of this plan, all streets adjacent to each block, on all sides *of that portion of the block containing the proposed development*, shall be constructed in conjunction with the *proposed* development of any project or building within the block. The Planning Board may, at its discretion and in an extreme case, *waive this requirement and instead only require a portion additional portions* of the street/streets *surrounding the block* to be developed if it finds that *the access is not helpful to the end users of the new block's development these additional portions of the streets surrounding the block are necessary for public safety and to provide for access to the development and connectivity to other portions of the Redevelopment Area*.
- H. Any unfinished roadway area would, however, be a temporary design with the full design bonded for, and its construction and implementation called on by the Planning Board or Governing Body when they determine it is warranted.
- I. Where a developer is required to construct a street or portion of a street that would otherwise be the responsibility of a developer(s) of an adjacent block(s) as part of the development of that block(s), then a mechanism shall be established to ensure that the initial developer is reimbursed for the pro rata share of the cost of construction of said street(s) that would have otherwise been the responsibility of the adjacent developer.
- J. Street signage (street names, traffic regulations, parking restrictions, etc.) shall be consolidated and affixed onto lamp posts wherever possible ~~in order~~ to reduce visual clutter.
- K. All new streets, sidewalks, rights-of-way, roadways, driveways, and access easements constructed within the redevelopment area shall conform to the Street Network Map and Thoroughfare Standards as identified herein.

## IX. Open Space Plan

- A. Public open space areas, streetscape, and landscape improvements shall be developed as directed by this Plan and indicated in the Open Space, *Community & Recreation Plan* map and are subject to site plan approval by the Planning Board.
- B. The Planning Board shall have the discretion to require a suitable mechanism to ensure a balanced development of planned open space, commercial services and infrastructure to service the redevelopment plan area during the review of any site plan application.
- C. A unified streetscape plan shall be required of each redeveloper. The streetscape plan shall be submitted to the Jersey City Planning Board for its review and approval in conjunction with the project site plan application and implemented contemporaneously with the construction of the redevelopment project. The streetscape plan shall include all street frontages, existing and proposed. The plan shall identify, but not be limited to: decorative paving materials, curbing materials, colors, tree pit treatments, trash receptacles, benches, bicycle racks, decorative street lighting, planters and planting pots. The streetscape plan shall respect and incorporate the design requirements provided with this Plan. The Planning Board shall assure that any such plan or plans are consistent with the design requirements of this Plan and compatible with *the Circulation Element of the Master Plan, the City's tree planting plans, and any other previously approved plans within the Redevelopment Area.*
- D. Trees shall be planted as specified in the "Thoroughfare *Design Standards*" as included in this Plan. All tree pits shall be covered with metal grates, decorative fencing, tree guards, and/or decorative pavers *meet the City's tree planting standards as stipulated in the City code section 345-66 and by the City Forester.* Open tree pits or planting strips in any street right of way are prohibited. *Continuous open planters and bioswales are permitted as part of an integrated storm water strategy.*
- E. All open space, including yards, decks over parking structures and green rooftops shall be landscaped with trees, shrubbery, ground covers and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. Screen planting shall consist of evergreen plant materials. Additional decorative plants may be incorporated into the design of the screen planting area to provide seasonal variety. Only species with proven resistance to the urban environment in this area will be acceptable.
- F. All street lighting shall be of decorative design and comply with the approved standard fixture types. Street lights shall be located at the outer edge of all sidewalks, and shall be no more than 15' tall for every 40' of sidewalk frontage.
- G. For townhouse style units, mailboxes shall be located on the building face. For high rise structures, they shall be inside in the lobby area of the building.
- H. ~~One percent of the cost of each project shall be devoted to the implementation of a~~ *Each project within the Plan Area shall incorporate public art within the public exterior of the project such as murals, statues, sculptures, etc.* Planning Board approval is required. *The implementation of such art projects shall be included in the required Redevelopment Agreement between the JCRA and the designated redeveloper.*
- I. ~~The Hudson River Waterfront Walkway requirements shall apply within the Grand Jersey Redevelopment Plan.~~
- J. *Parks and Open Spaces shall be located as indicated on the Open Space, Community & Recreation Plan. The precise location of these parks, open spaces, and other facilities may be adjusted per final major subdivision and adjustments to the location of the street pattern, infrastructure and roadway network.*

**K.** *Crescent Park, will be designed to integrate the development sites surrounding it with the adjacent Tidewater Basin and Mill Creek shoreline.*

**L.** ~~Deviation Requests~~

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment plan, would result in peculiar and exceptional practice difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this redevelopment plan shall provide public notice of such application in accordance with the requirements of public notice as set forth in N.J.S.A. 40:55D-12.a.&b.

## **X. Utility and Infrastructure Requirements**

- A.** All applicants shall satisfy the Municipal engineer and the Planning Board that provision for the necessary utilities is accomplished in a way that advances the health safety and welfare of the general public.
- B.** Utility Placement – *Unless otherwise required by building code, or necessary to protect from flood and/or groundwater impacts, all All utility distribution lines and utility service connections from such lines to the project area’s individual uses shall be located underground, including utility and signal mechanized boxes. Utility appliances, regulators and metering devices shall be located underground. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to coordinate with the City to install all new utility infrastructure and arrange for connections to public and private utilities.*
- C.** *If it becomes evident to the Planning Board and the Municipal Engineer during the implementation of this development that a long term utility and infrastructure plan is needed and desired, a Utility Plan required, which shall include the on-tract and off-tract infrastructure improvements needed to serve the development and shall be provided by the designated redeveloper.*
- D.** ~~The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of fifty (50) years from the date of approval of this plan by the City Council of the City of Jersey City. The Planning Board may, as always, review the plan from time to time.~~
- E.** *No development or redevelopment of any parcel in the Plan Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and storm water are approved by the City of Jersey City Division of Engineering and the Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and storm water are certified by the City of Jersey City Planning Board, Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as determined by the Planning Board, Division of Engineering and Municipal Utilities Authority.*
- F.** *New utilities shall be capable of serving the new development as well as improve service in the existing local neighborhoods*

## **XI. Acquisition Plan**

- A. All property within the Area is to be acquired as a result of this Plan, if necessary, through the exercise of eminent domain pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq.

## **XII. Procedure for Amending the Redevelopment Plan**

This Redevelopment Plan may be amended from time-to-time upon compliance with the requirements of the law. A fee of \$1,000 shall be paid by the party requesting such amendment, unless the request issues from an agency of the City. The Planning Board, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a Professional Planner, licensed in the State of New Jersey.

## **XIII. Implementation by the Jersey City Redevelopment Agency**

~~In accordance with N.J.S.A. 40A:12A-4(c), the Jersey City Redevelopment Agency (JCRA) is designated as the redevelopment entity for the redevelopment project and shall be responsible for the implementation of the redevelopment plan. No person or land owner shall be entitled to carry out any part of this redevelopment plan without first entering into a redevelopment agreement with JCRA that describes the land to be improved or redeveloped, the redevelopment and improvement authorized, the time within which such work is to be commenced and completed and such other terms and conditions that JCRA may find to be necessary or appropriate. All such work shall be subject to approval by the Planning Board as required by N.J.S.A. 40A:12A-13, but the Planning Board shall not approve any development or redevelopment within the redevelopment area unless the applicant has entered into and remains subject to a redevelopment agreement that is recognized by JCRA as valid and binding.~~

- A. In accordance with N.J.S.A. 40A:12A-4(c), the Jersey City Redevelopment Agency (JCRA) is designated as the redevelopment entity for the redevelopment project and shall be responsible for the implementation of the redevelopment plan.*
- B. No developer, land owner, or any other person or entity shall be entitled to file an application for development or site plan approval without first entering into a redevelopment agreement with the JCRA. Developers and landowners undertaking development projects on Block 14001, Lots 1 and 2; and/or Block 15801, Lot 6 shall be exempt from the requirement to first enter into a redevelopment agreement with JCRA.*
- C. The Redevelopment Agreement shall include a description of the land to be improved or redeveloped; the redevelopment and improvements authorized; the phasing of the project; the phasing of the required roadway and other circulation improvements; the phasing of the required open space, parks and other community facilities; the time within such work is to be commenced and completed; and such other terms and conditions that the JCRA may find necessary and appropriate.*
- D. All such work shall be subject to approval by the Planning Board as required by N.J.S.A. 40A:12A-13, but the Planning Board shall not approve any development or redevelopment within the redevelopment area unless the applicant has entered into and remains subject to a redevelopment agreement that is recognized by JCRA as valid and binding.*

## **XIV. Severability**

If any section, paragraph, division, subdivision, clause or provision of this plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this plan shall be deemed valid and effective.

## XV. Unit Count / Development Capacity Summary

| Block Number  | Block Size (acres) Net      | Max DU                          | Max Intensity (DU/acre) |
|---------------|-----------------------------|---------------------------------|-------------------------|
| 1             | -                           | Utility Substation Only         | -                       |
| 2             | 1.02                        | 175                             | <del>175</del>          |
| 3             | 1.17                        | 350                             | <del>300</del>          |
| 4             | 8.94                        | Hospital Only                   | -                       |
| 5             | 0.7                         | 240                             | <del>345</del>          |
| 6             | 0.8                         | 275                             | <del>345</del>          |
| 7             | 2.50                        | 1,000                           | <del>400</del>          |
| 8             | 3.58                        | 700                             | <del>200</del>          |
| 10            | <del>1.21</del> <b>2.16</b> | <del>205</del> <b>305</b>       | <del>145</del>          |
| <del>11</del> | <del>0.61</del>             | 110                             | -                       |
| 12            | <del>1.40</del> <b>2.57</b> | <del>280</del> <b>315</b>       | <del>125</del>          |
| 13            | <del>0.70</del> <b>0.58</b> | <del>130</del> <b>70</b>        | <del>125</del>          |
| 14*           | <del>1.68</del> <b>2.49</b> | <del>310</del> <b>1,000</b>     | <del>405</del>          |
| 15            | <del>2.14</del> <b>2.43</b> | <del>375</del> <b>Park Only</b> | -                       |
| 16*           | <del>5.22</del> <b>4.56</b> | <del>575</del> <b>1,150</b>     | <del>255</del>          |
| <b>17</b>     | <b>4.50</b>                 | <b>Park Only</b>                | -                       |
| Total         |                             | <del>4,725</del> <b>5,605</b>   |                         |

February 19, 2004  
 Revised: March 2, 2012  
 Revised: March 6, 2012

Exact Area *and* Max Intensity of new *all* blocks 3, 5 and 7 to be determined by final CAD Drawings *subject to Final Major Subdivision*.

*\*Refer to section VII.D.4.iii.*

# XVI. MAPS, REGULATING PLANS & STANDARDS

## A. SITE PLANS

01. LOCATION PLAN
02. EXISTING REDEVELOPMENT AREA PARCELS
03. BLOCK IDENTIFICATION PLAN
04. SUPERIMPOSED MAP
05. REDEVELOPMENT AREA DISTRICTS
06. LIGHT RAIL TRANSIT CROSSINGS
07. STREET NETWORK / CIRCULATION PLAN
08. OPEN SPACE, COMMUNITY & RECREATION PLAN
09. FRONTAGE REGULATING PLAN
10. BUILDING HEIGHT REGULATING PLAN
11. NET BLOCK AREAS

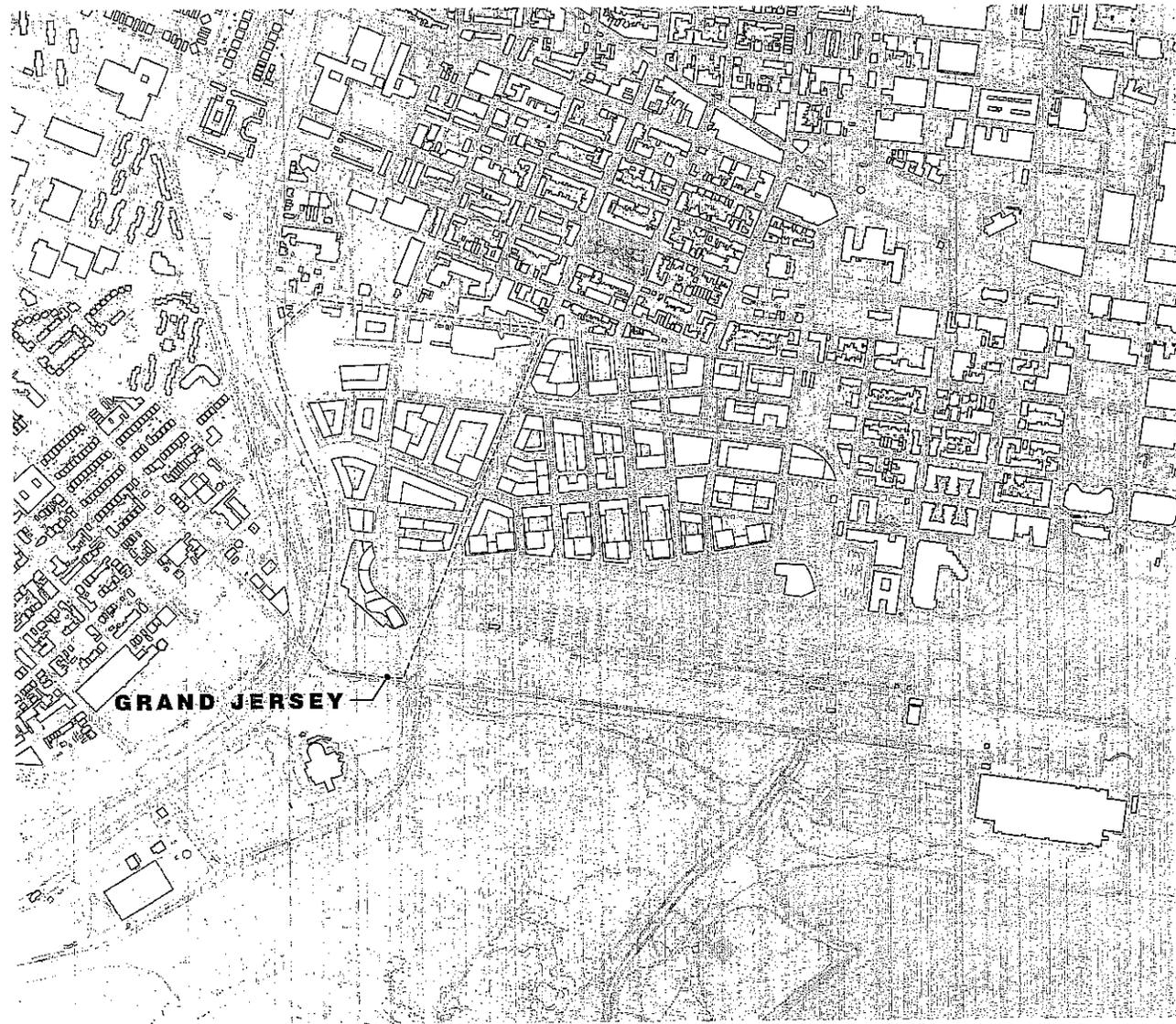
## B. DIAGRAMS

12. S-CLASS BUILDING DIAGRAMS
13. M-CLASS BUILDING DIAGRAMS
14. L-CLASS BUILDING DIAGRAMS
15. XL-CLASS BUILDING DIAGRAMS

## C. PARKS DISTRICT THOROUGHFARE STANDARDS

16. PARKS DISTRICT THOROUGHFARE SECTION REFERENCE
17. PARKS DISTRICT THOROUGHFARE DESIGN STANDARDS

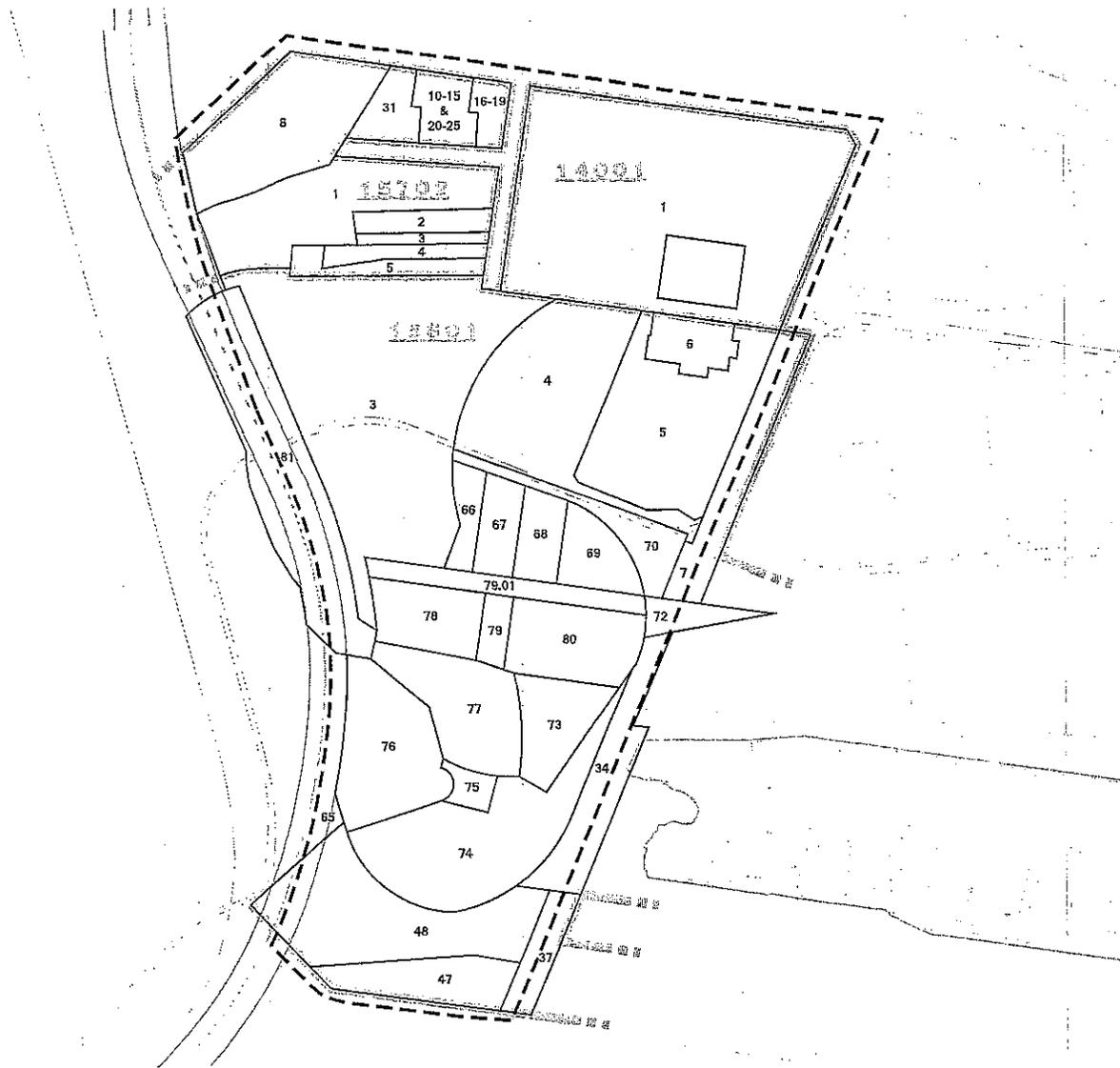
# LOCATION PLAN



## REDEVELOPMENT PLAN AREA BOUNDARY DESCRIPTION:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF GRAND STREET AND JERSEY AVENUE, THENCE IN A SOUTHERLY DIRECTION ALONG THE CENTERLINE OF JERSEY AVENUE, AS SAME WOULD EXTEND TO THE POINT OF ITS INTERSECTION WITH THE CENTERLINE OF AUDREY ZAPP DRIVE, THENCE IN A WESTERLY DIRECTION ALONG THE CENTERLINE OF AUDREY ZAPP DRIVE TO THE POINT OF ITS INTERSECTION WITH THE CENTERLINE OF JOHNSTON AVENUE, THENCE IN A WESTERLY DIRECTION ALONG THE CENTERLINE OF JOHNSTON AVENUE TO THE POINT OF ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE NEW JERSEY TURNPIKE, THENCE IN A NORTHERLY DIRECTION ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE NEW JERSEY TURNPIKE TO ITS INTERSECTION WITH THE CENTERLINE OF PACIFIC AVENUE, THENCE IN A NORTHERLY DIRECTION ALONG THE CENTERLINE OF PACIFIC AVENUE TO THE POINT OF ITS INTERSECTION WITH THE CENTERLINE OF GRAND STREET, THENCE IN AN EASTERLY DIRECTION ALONG THE CENTERLINE OF GRAND STREET TO THE POINT AND PLACE OF THE BEGINNING.

# EXISTING REDEVELOPMENT AREA PARCELS



- PLAN BOUNDARY
- ▨ CITY BLOCK
- ▭ CITY LOT

# BLOCK IDENTIFICATION PLAN



6

RIGHT-OF-WAY LINES

REDEVELOPMENT PLAN BLOCK

NOTES:

THE BLOCK NUMBERS SHOWN HERE ARE FOR REDEVELOPMENT PLAN REFERENCE ONLY. STREET NAMES ARE FOR REDEVELOPMENT PLAN REFERENCE ONLY. ACTUAL STREET NAMES, AFTER CONSTRUCTION, SHALL BE CHOSEN FROM, AND GUIDED BY THE CIRCA 1874 GRID PLAN OF THIS AREA.

# SUPERIMPOSED MAP



- PLAN BOUNDARY
- CITY BLOCK
- 80 CITY LOT
- RIGHT-OF-WAY LINES
- 6 REDEVELOPMENT PLAN BLOCK



# LIGHT RAIL TRANSIT CROSSINGS



- PLAN BOUNDARY
- ==== LIGHT RAIL
- Ⓟ REQUIRED PEDESTRIAN CROSSING
- Ⓥ REQUIRED VEHICULAR & PEDESTRIAN CROSSING

# STREET NETWORK / CIRCULATION PLAN



-  PUBLIC TWO-WAY ROAD
-  PUBLIC ONE-WAY ROAD
-  NJ TURNPIKE BRIDGE
-  SERVICE ROAD
-  PEDESTRIAN CONNECTIONS
-  BICYCLE LANE

# OPEN SPACE, COMMUNITY & RECREATION PLAN



- (a) CRESCENT PARK
- (b) LIBERTY STATE PARK
- (c) NORTHERN ROUNDABOUT
- (d) JERSEY PARKWAY\*
- BIKE LANE/PATH
- ▨ PUBLIC PARKS

NOTES:  
 THE PRECISE LOCATION OF THESE PARKS AND OPEN SPACES MAY BE ADJUSTED AS A RESULT OF FINAL SUBDIVISIONS AND ADJUSTMENTS TO THE LOCATION OF THE STREET PATTERN, INFRASTRUCTURE AND ROADWAY NETWORK.

\*JERSEY PARKWAY "D" SOUTH OF THE NORTHERN ROUNDABOUT "E" IS SUGGESTED AS THE APPROPRIATE STREET DESIGN INTEGRATED WITH THE GRAND JERSEY STREET NETWORK AND COMPLETING BLOCK 17.

# FRONTAGE REGULATING PLAN



- PROPERTY LINE
- RETAIL FRONTAGE REQUIRED
- == RETAIL FRONTAGE OPTIONAL
- ■ ■ ■ ■ RESIDENTIAL STOOP & GARDEN FRONTAGE REQUIRED
- - - - - MAXIMUM EXTENT OF PARKING

# BUILDING HEIGHT REGULATING PLAN



-  **S-CLASS BUILDING**  
3-6 stories
-  **M-CLASS BUILDING**  
8-12 stories
-  **L-CLASS BUILDING**  
14-18 stories
-  **XL-CLASS BUILDING**  
22+ stories

**NOTES:**

LOCATION OF BUILDINGS MAY VARY BASED ON CONFLICTS WITH EASEMENTS, PROPERTY LINES, AND EXISTING BUILDINGS.

MODIFICATIONS TO DEPICTED XL-CLASS BUILDING LOCATIONS ARE ALLOWED IN THE CONTEXT OF A COMPREHENSIVE REDEVELOPMENT DESIGN ENCOMPASSING THE BLOCK CONTAINING THE XL-CLASS BUILDING IN QUESTION.

NO MAXIMUM HEIGHT IS APPLICABLE FOR THE XL-CLASS BUILDINGS.

# NET BLOCK AREAS

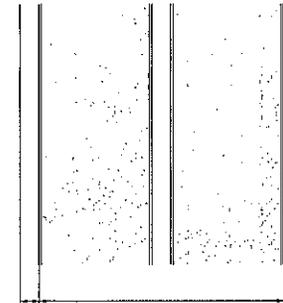


NOTES:  
AREAS ARE APPROXIMATE AND SUBJECT TO FINAL MAJOR SUBDIVISION.

# S-CLASS BUILDING DIAGRAMS

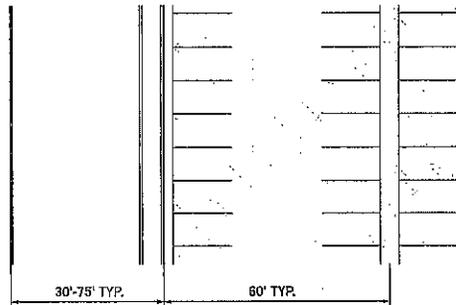
RETAIL BASE

UPPER FLOORS

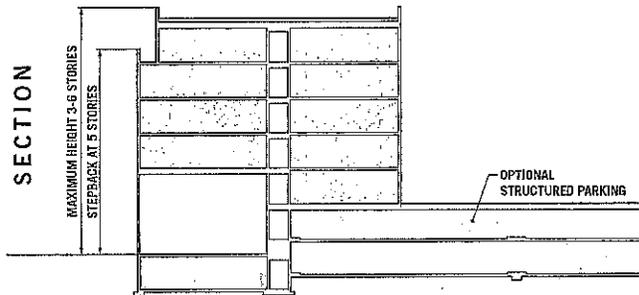


5' MIN. STEPBACK 50'-70' TYP.

LOWER FLOORS



30'-75' TYP. 60' TYP.



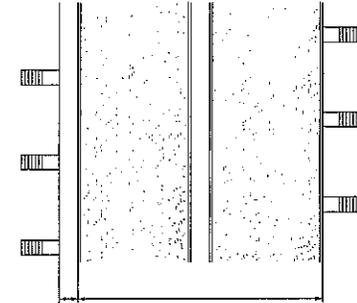
SECTION  
MAXIMUM HEIGHT 3-6 STORIES  
STEPBACK AT 5 STORIES

OPTIONAL STRUCTURED PARKING

NOTE: Ground floor frontage per Frontage Regulating Plan.

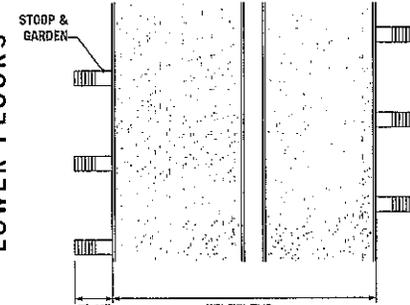
RESIDENTIAL BASE

UPPER FLOORS

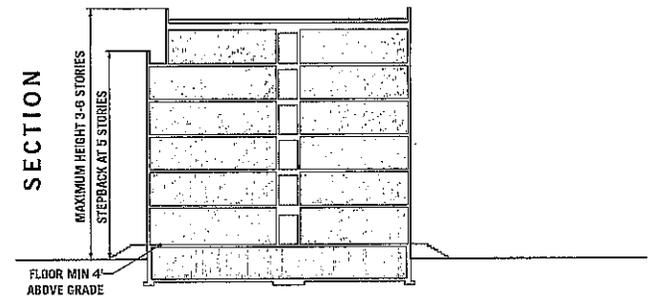


5' MIN. STEPBACK 50'-70' TYP.

LOWER FLOORS



5'-15' SETBACK 55'-75' TYP.



SECTION  
MAXIMUM HEIGHT 3-6 STORIES  
STEPBACK AT 5 STORIES

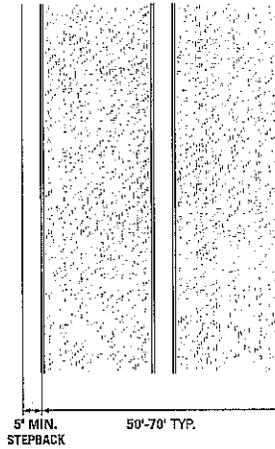
FLOOR MIN 4' ABOVE GRADE

-  RESIDENTIAL
-  RETAIL
-  PARKING
-  MECHANICAL

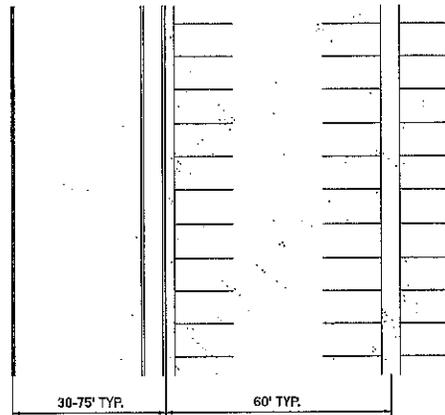
# M-CLASS BUILDING DIAGRAMS

NOTE: Ground floor frontage per Frontage Regulating Plan. See S-Class Building Diagrams for residential base variation.

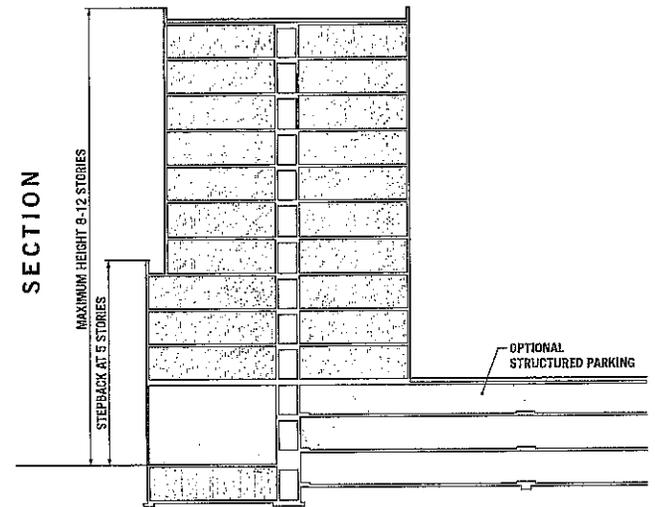
UPPER FLOORS



LOWER FLOORS



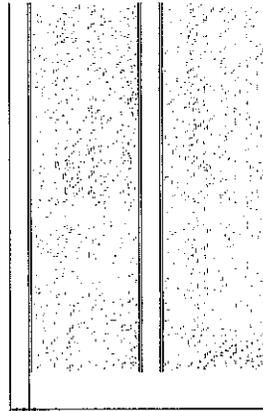
- RESIDENTIAL
- RETAIL
- PARKING
- MECHANICAL



# L-CLASS BUILDING DIAGRAMS

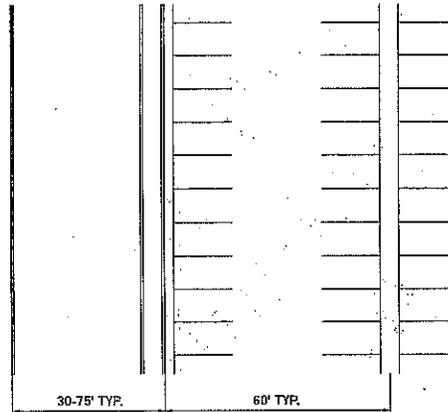
NOTE: Ground floor frontage per Frontage Regulating Plan. See S-Class Building Diagrams for residential base variation.

UPPER FLOORS



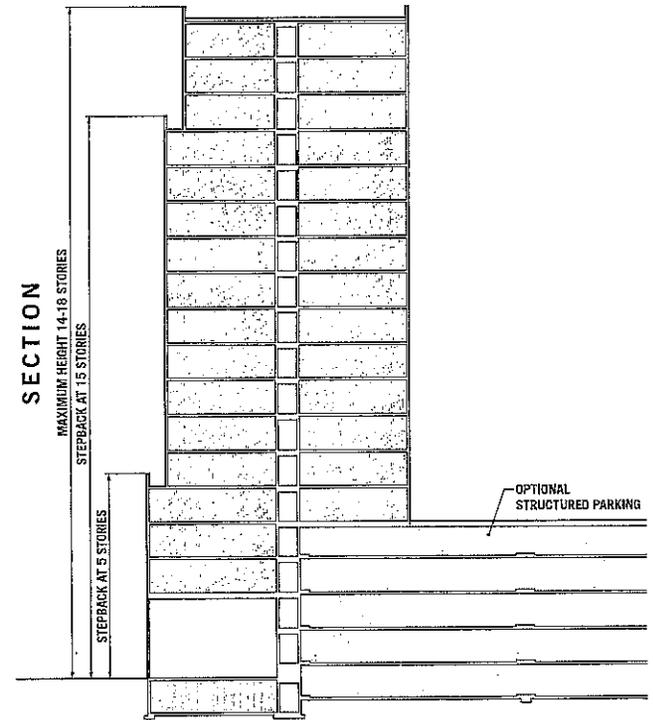
5' MIN. STEPBACK  
50'-70' TYP.

LOWER FLOORS



30-75' TYP. 60' TYP.

- RESIDENTIAL
- RETAIL
- PARKING
- MECHANICAL



SECTION

MAXIMUM HEIGHT 14-18 STORIES

STEPBACK AT 15 STORIES

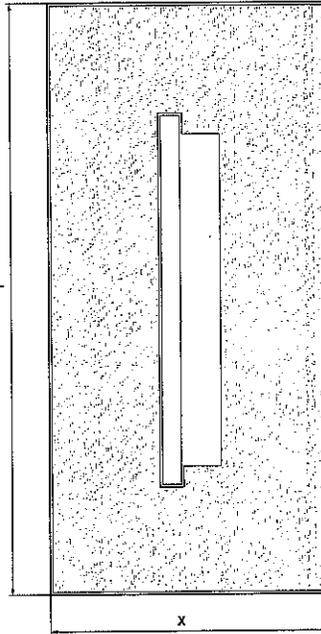
STEPBACK AT 5 STORIES

OPTIONAL STRUCTURED PARKING

# XL-CLASS BUILDING DIAGRAMS

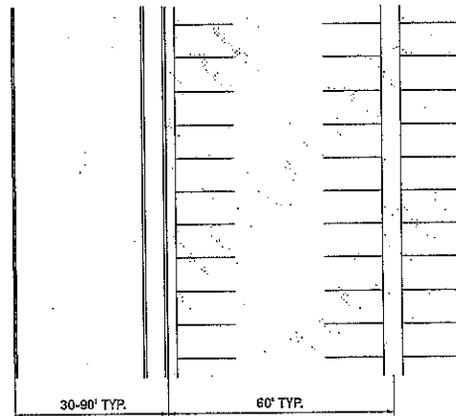
NOTE: Ground floor frontage per Frontage Regulating Plan. See S-Class Building Diagrams for residential base variation.

TOWER FLOORS



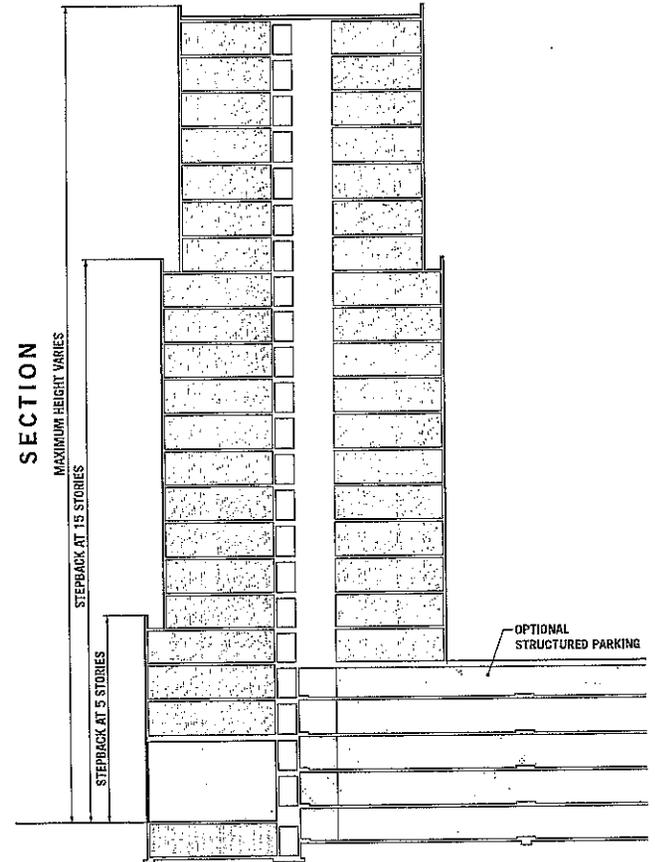
FLOOR PLATE AREA  
 $\leq 12,000$  GSF

LOWER FLOORS

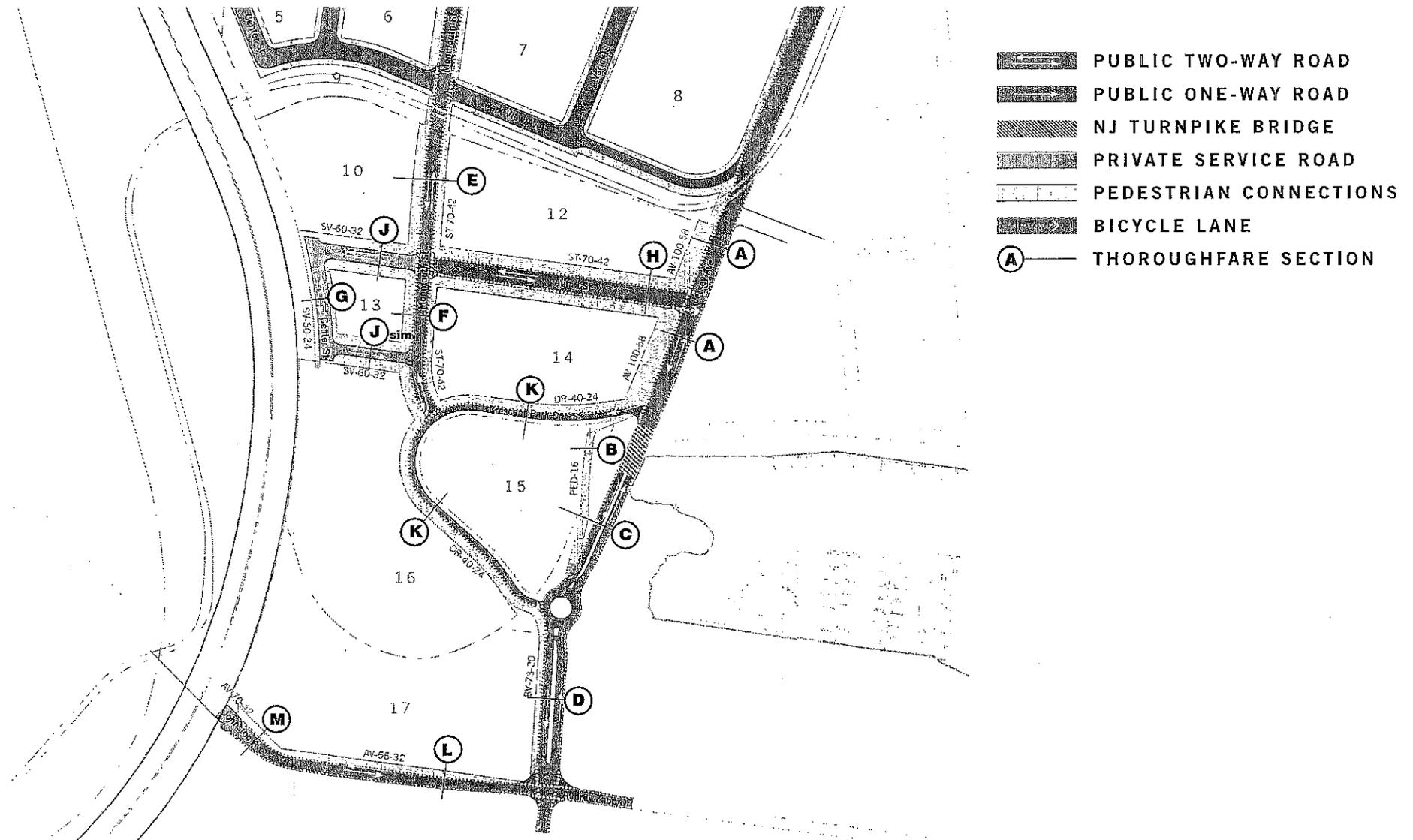


- RESIDENTIAL
- RETAIL
- PARKING
- MECHANICAL

SECTION



# PARKS DISTRICT THOROUGHFARE SECTION REFERENCE

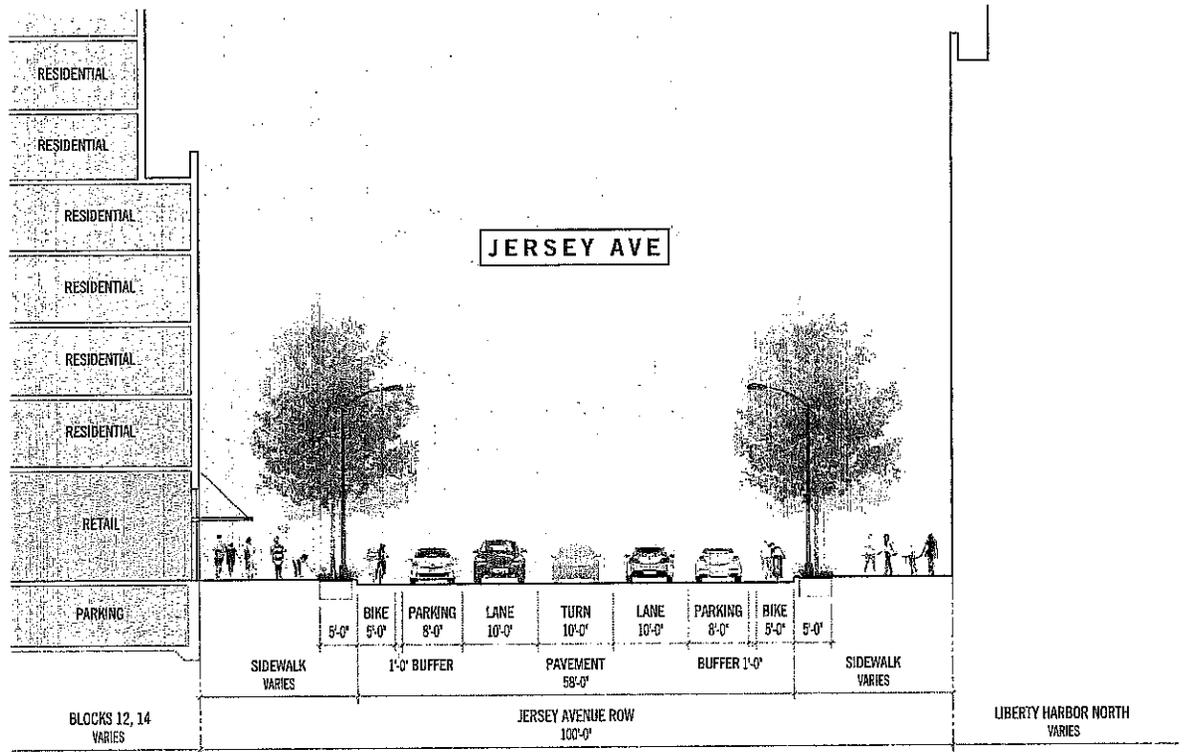


# THOROUGHFARE DESIGN STANDARDS

## SECTION A

AV-100-58

TYPE.....JERSEY AVENUE, SOUTH OF LIGHT RAIL  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO LANES WITH CENTRAL TURN LANE  
 PARKING LANES.....BOTH SIDES  
 ROW WIDTH.....100 FEET  
 PAVEMENT WIDTH.....58 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....8.6 SECONDS  
 SIDEWALK WIDTH.....VARIES  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....ALIGNED AT 30 FEET OC AVERAGE  
 TREE SPECIES.....QUERCUS PHELLOS (WILLOW OAK)  
 OTHER.....



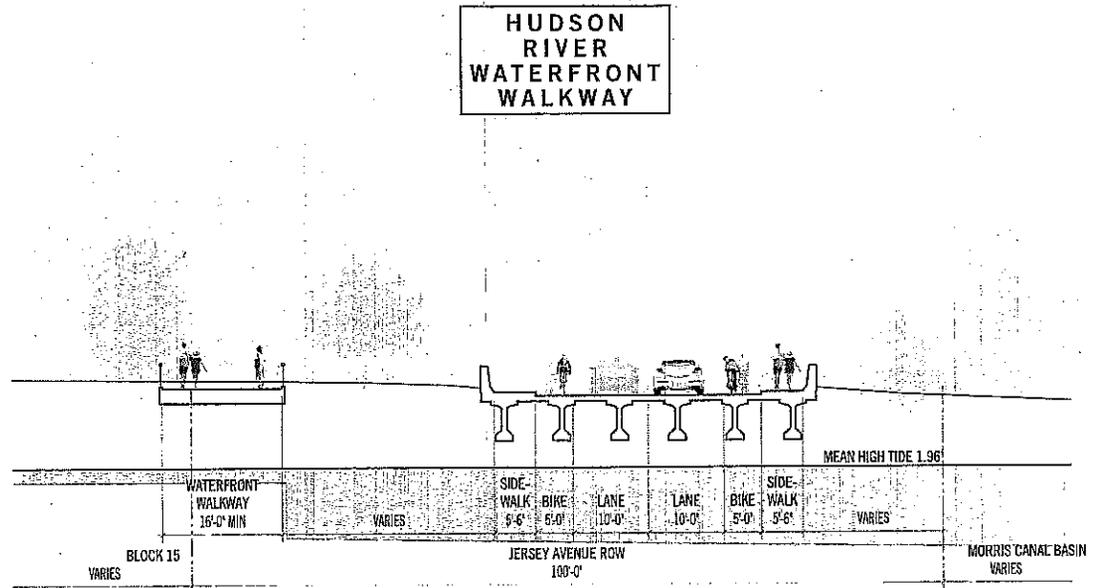
NOTE: Ground floor frontage per Frontage Regulating Plan.

# PARKS DISTRICT THOROUGHFARE DESIGN STANDARDS

## SECTION B

### PED-16

TYPE.....HUDSON RIVER WATERFRONT WALKWAY EASEMENT  
 MOVEMENT.....PEDESTRIAN AND CITY MAINTENANCE VEHICLES ONLY  
 TRAFFIC LANES.....  
 PARKING LANES.....NONE  
 ROW WIDTH.....  
 PAVEMENT WIDTH.....16 FEET  
 CURB RADIUS.....  
 VEHICULAR DESIGN SPEED.....  
 PEDESTRIAN CROSSING TIME.....  
 SIDEWALK WIDTH.....16 FEET  
 PLANTER WIDTH.....  
 PLANTER TREATMENT.....  
 PLANTING INTERVAL.....  
 TREE SPECIES.....  
 OTHER.....WALKWAY SURFACE  
 SHALL BE APPROPRIATE FOR MAINTENANCE VEHICLES, HOWEVER NO  
 UNDIFFERENTIATED ASPHALT IS ALLOWED. SURFACE TREATMENT, WALKWAY  
 AND RAIL MATERIALS, AND LIGHTING DESIGN TO BE INFORMED BY HUDSON  
 RIVER WATERFRONT WALKWAY DESIGN GUIDELINES.



NOTES: Portions of the Hudson River Waterfront Walkway which lie outside of the Jersey Avenue Right-of-way shall be granted a public access easement to ensure continued public access through Crescent Park.

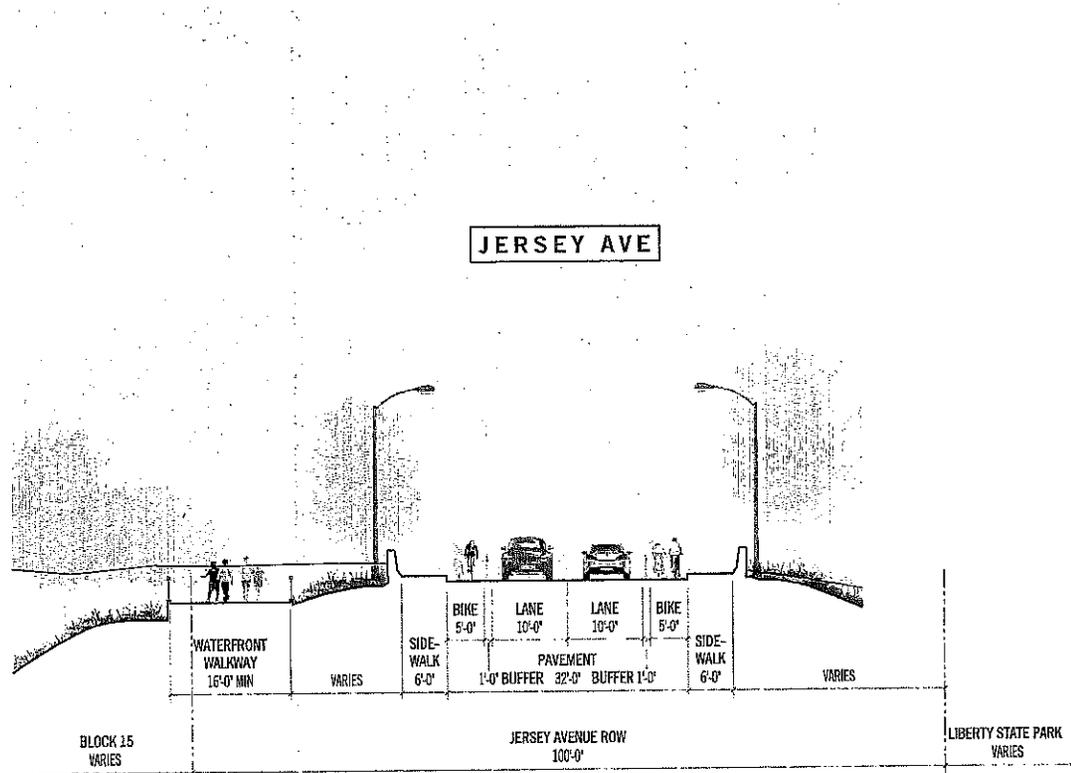
Jersey Ave Bridge design by others.

# THOROUGHFARE DESIGN STANDARDS

## SECTION C

AV-100-32

TYPE..... JERSEY AVENUE, SOUTH OF BRIDGE  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO LANES  
 PARKING LANES.....NONE  
 ROW WIDTH.....100 FEET  
 PAVEMENT WIDTH.....32 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....9.1 SECONDS  
 SIDEWALK WIDTH.....6 FEET  
 PLANTER WIDTH.....NONE  
 PLANTER TREATMENT.....  
 PLANTING INTERVAL.....  
 TREE SPECIES.....  
 OTHER.....16 FOOT MIN. HUDSON RIVER WATERFRONT WALKWAY RUNS  
 ROUGHLY PARALLEL TO JERSEY AVENUE ON THE WEST

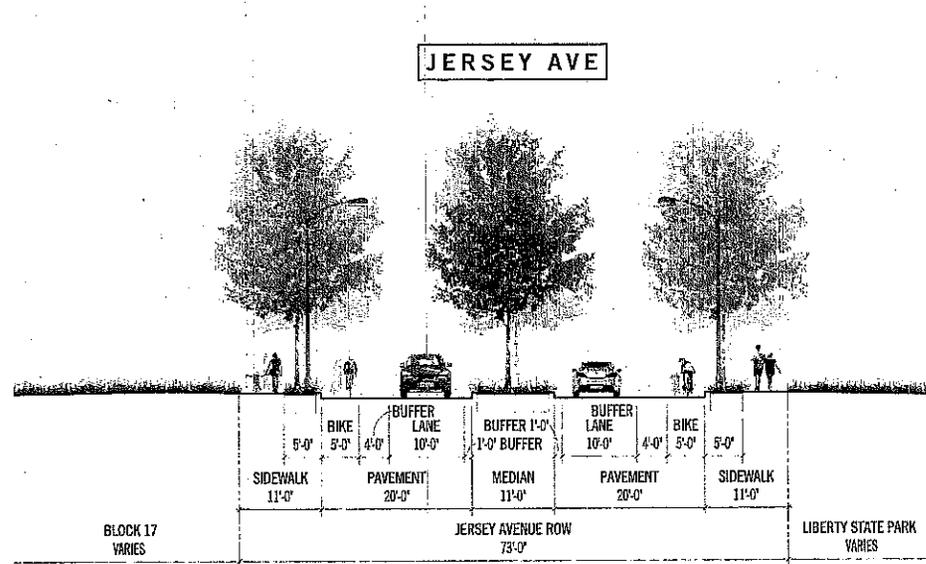


# THOROUGHFARE DESIGN STANDARDS

## SECTION D

BV-73-20

TYPE.....JERSEY AVENUE NORTH OF JOHNSTON AVE  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO ONE-WAY LANES  
 PARKING LANES.....NONE  
 ROW WIDTH.....73 FEET  
 PAVEMENT WIDTH.....20 FEET, 20 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....5.7 + 5.7 SECONDS  
 SIDEWALK WIDTH.....10 FEET  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....ALIGNED AT 30 FEET OC AVERAGE  
 TREE SPECIES.....OAK MIX: QUERCUS PALUSTRIS (PIN OAK), Q.BICOLOR  
 (SWAMP WHITE OAK), Q.MACROCARPA (BUR OAK), Q.IYRATA (OVERCUP OAK)  
 OTHER.....PLANTED 10 FOOT MEDIAN

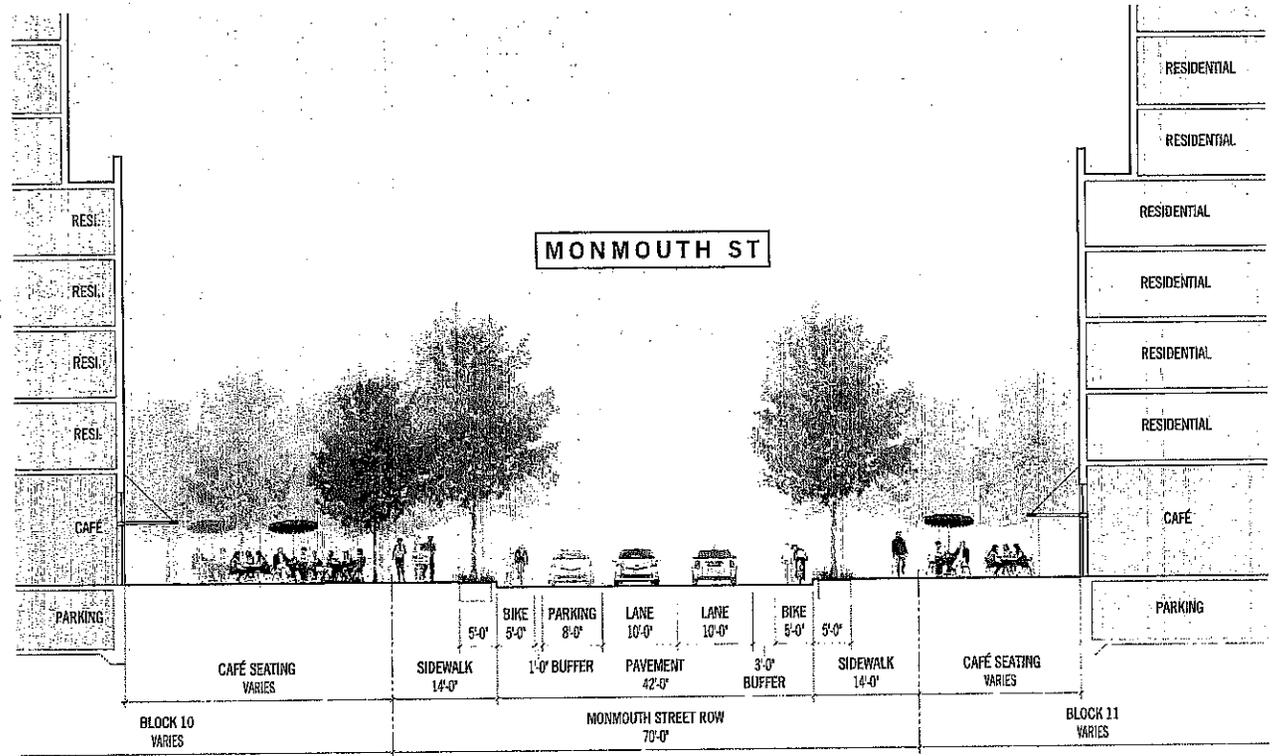


# THOROUGHFARE DESIGN STANDARDS

## SECTION E

ST-70-42

TYPE.....MONMOUTH STREET, BETWEEN BLOCKS 10 & 12  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO LANES  
 PARKING LANES.....WEST SIDE  
 ROW WIDTH.....70 FEET  
 PAVEMENT WIDTH.....42 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....5.7 SECONDS  
 SIDEWALK WIDTH.....15 FEET  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....ALIGNED AT 25 FEET OC AVERAGE  
 TREE SPECIES.....GLEDITSIA TRIACANTHOS (HONEY LOCUST),  
 GINKGO BILOBA (MAIDENHAIR TREE), CELTIS OCCIDENTALIS (HACKBERRY),  
 GYMNOCLADUS DIOICUS (KENTUCKY COFFEETREE)  
 OTHER.....



### NOTES:

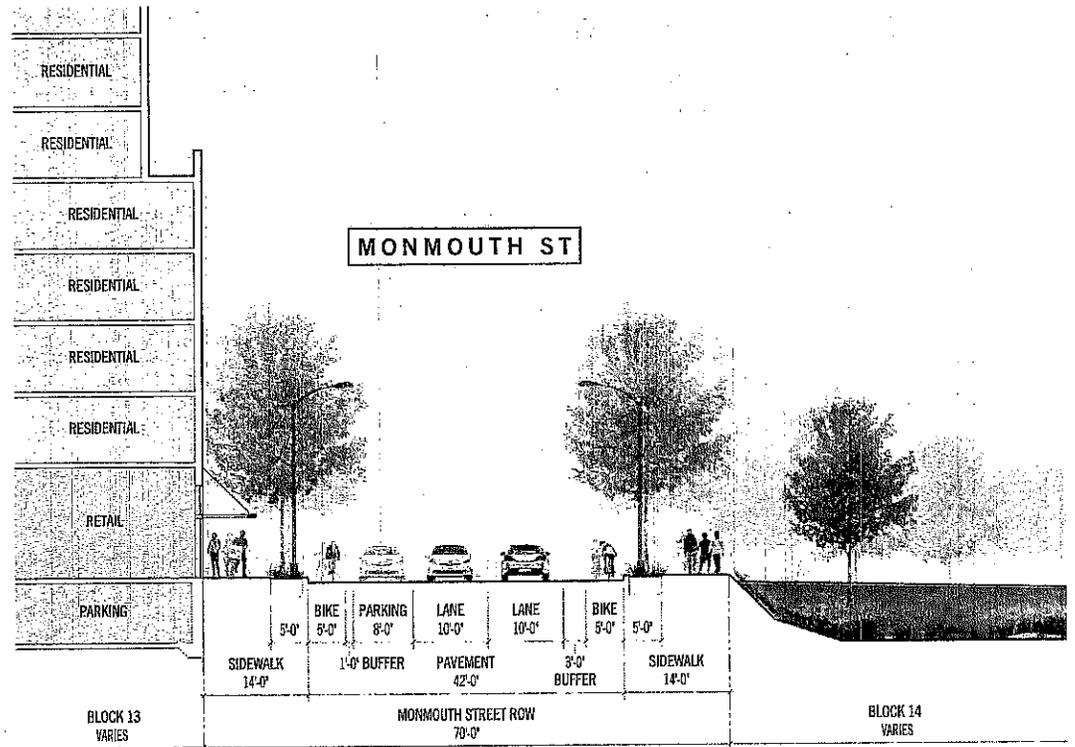
Ground floor frontage per Frontage Regulating Plan.  
 Where final engineering reduces clear sidewalk width,  
 buildings may be set back to achieve required dimension.

# THOROUGHFARE DESIGN STANDARDS

## SECTION F

ST-70-42

TYPE.....MONMOUTH STREET, BETWEEN BLOCKS 13 & 14  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO LANES  
 PARKING LANES.....WEST SIDE  
 ROW WIDTH.....70 FEET  
 PAVEMENT WIDTH.....42 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....5.7 SECONDS  
 SIDEWALK WIDTH.....11 FEET  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....ALIGNED AT 25 FEET OC AVERAGE  
 TREE SPECIES.....GLEDITSIA TRIACANTHOS (HONEY LOCUST),  
 GINKGO BILOBA (MAIDENHAIR TREE), CELTIS OCCIDENTALIS (HACKBERRY),  
 GYMNOCLADUS DIOICUS (KENTUCKY COFFEETREE)  
 OTHER.....



### NOTES:

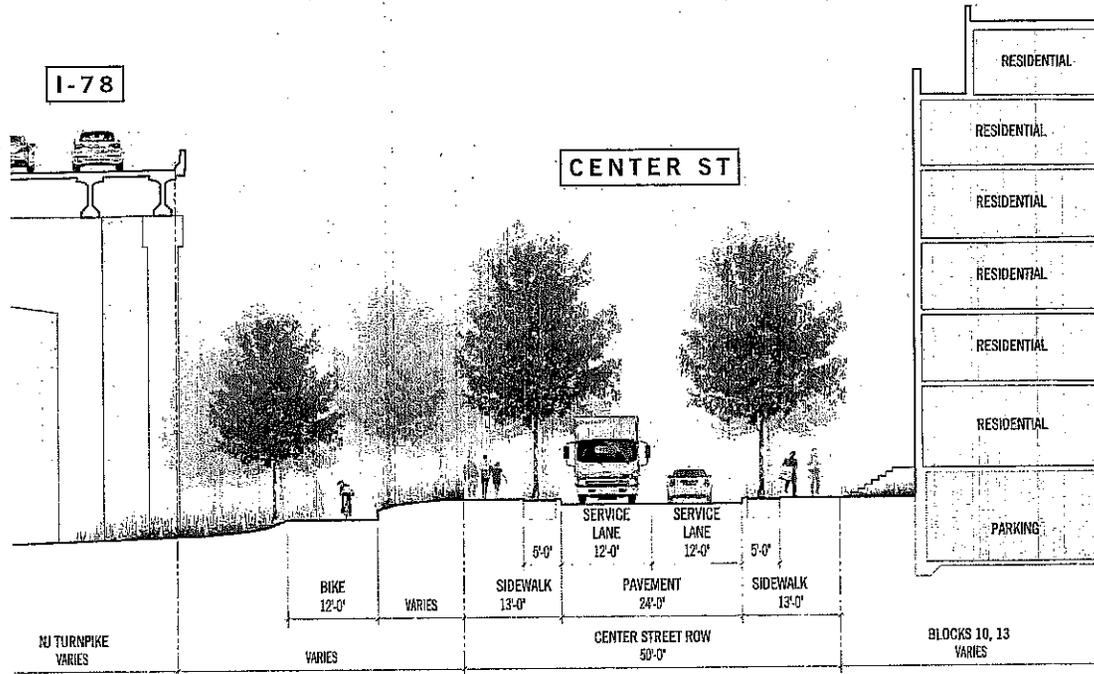
Ground floor frontage per Frontage Regulating Plan.  
 Where final engineering reduces clear sidewalk width,  
 buildings may be set back to achieve required dimension.

# THOROUGHFARE DESIGN STANDARDS

## SECTION G

SV-50-24

|                               |                                      |
|-------------------------------|--------------------------------------|
| TYPE.....                     | CENTER STREET                        |
| MOVEMENT.....                 | PRIMARILY SERVICE USES               |
| TRAFFIC LANES.....            | TWO LANES                            |
| PARKING LANES.....            | NONE                                 |
| ROW WIDTH.....                | 50 FEET                              |
| PAVEMENT WIDTH.....           | 24 FEET                              |
| CURB RADIUS.....              | 15 FEET                              |
| VEHICULAR DESIGN SPEED.....   | 25 MPH                               |
| PEDESTRIAN CROSSING TIME..... | 6.9 SECONDS                          |
| SIDEWALK WIDTH.....           | 10 FEET                              |
| PLANTER WIDTH.....            | 5 FEET                               |
| PLANTER TREATMENT.....        | CONTINUOUS OPEN PLANTER              |
| PLANTING INTERVAL.....        | WEST SIDE ONLY AT 40 FEET OC AVERAGE |
| TREE SPECIES.....             | QUERCUS PHELLOS (WILLOW OAK)         |
| OTHER.....                    |                                      |



### NOTES:

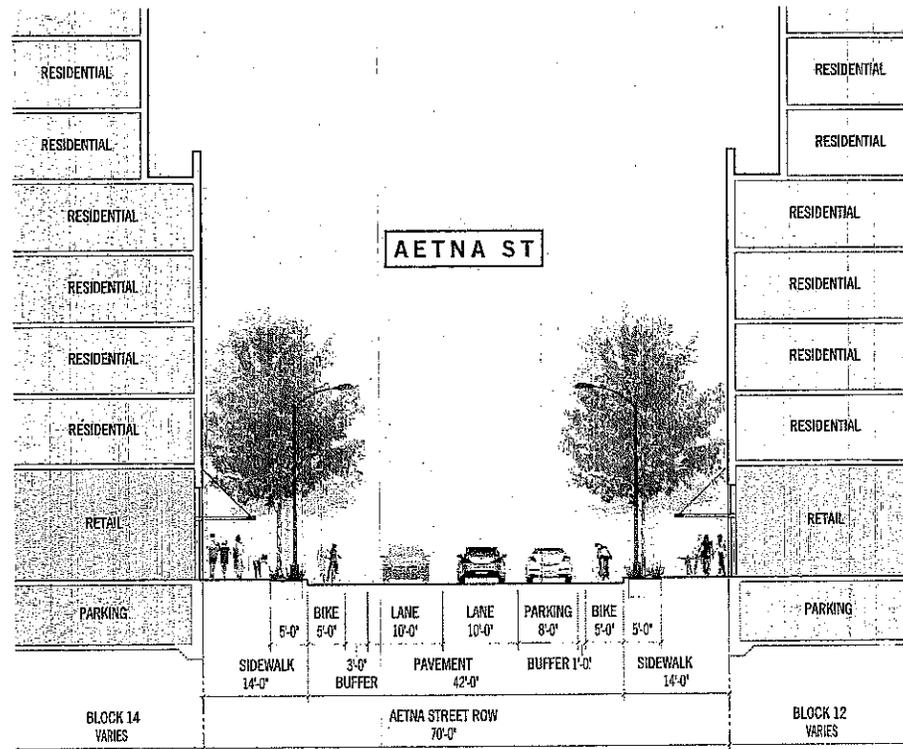
Ground floor frontage per Frontage Regulating Plan.  
 Where final engineering reduces clear sidewalk width,  
 buildings may be set back to achieve required dimension.

# THOROUGHFARE DESIGN STANDARDS

## SECTION H

ST-70-42

TYPE.....AETNA STREET, EAST OF MONMOUTH  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO LANES  
 PARKING LANES.....NORTH SIDE  
 ROW WIDTH.....70 FEET  
 PAVEMENT WIDTH.....42 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....5.7 SECONDS  
 SIDEWALK WIDTH.....11 FEET  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....STREET TREE GRATES  
 PLANTING INTERVAL.....ALIGNED AT 25 FEET OC AVERAGE  
 TREE SPECIES . NYSSA SYLVATICA (TUPELO), QUERCUS PALUSTRIS (PIN OAK)  
 OTHER.....



### NOTES:

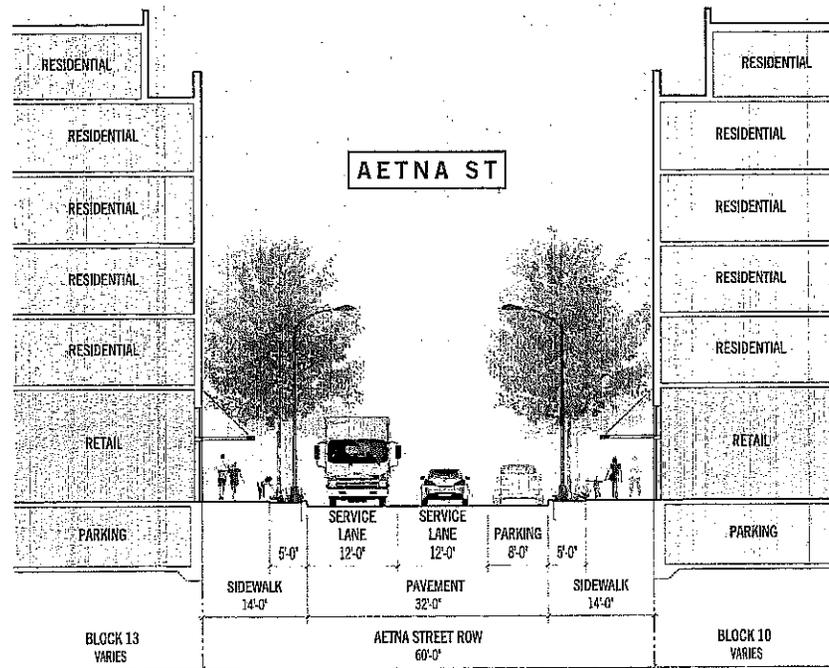
Ground floor frontage per Frontage Regulating Plan.  
 Where final engineering reduces clear sidewalk width,  
 buildings may be set back to achieve required dimension.

# THOROUGHFARE DESIGN STANDARDS

## SECTION J

SV-60-32

TYPE..... AETNA STREET, WEST OF MONMOUTH  
 MOVEMENT..... PRIMARILY SERVICE USES  
 TRAFFIC LANES..... TWO LANES  
 PARKING LANES..... NORTH SIDE  
 ROW WIDTH..... 60 FEET  
 PAVEMENT WIDTH..... 32 FEET  
 CURB RADIUS..... 15 FEET  
 VEHICULAR DESIGN SPEED..... 25 MPH  
 PEDESTRIAN CROSSING TIME..... 8.6 SECONDS  
 SIDEWALK WIDTH..... 15 FEET  
 PLANTER WIDTH..... 5 FEET  
 PLANTER TREATMENT..... STREET TREE GRATES  
 PLANTING INTERVAL..... ALIGNED AT 25 FEET OC AVERAGE  
 TREE SPECIES . NYSSA SYLVATICA (TUPELO), QUERCUS PALUSTRIS (PIN OAK)  
 OTHER.....



### NOTES:

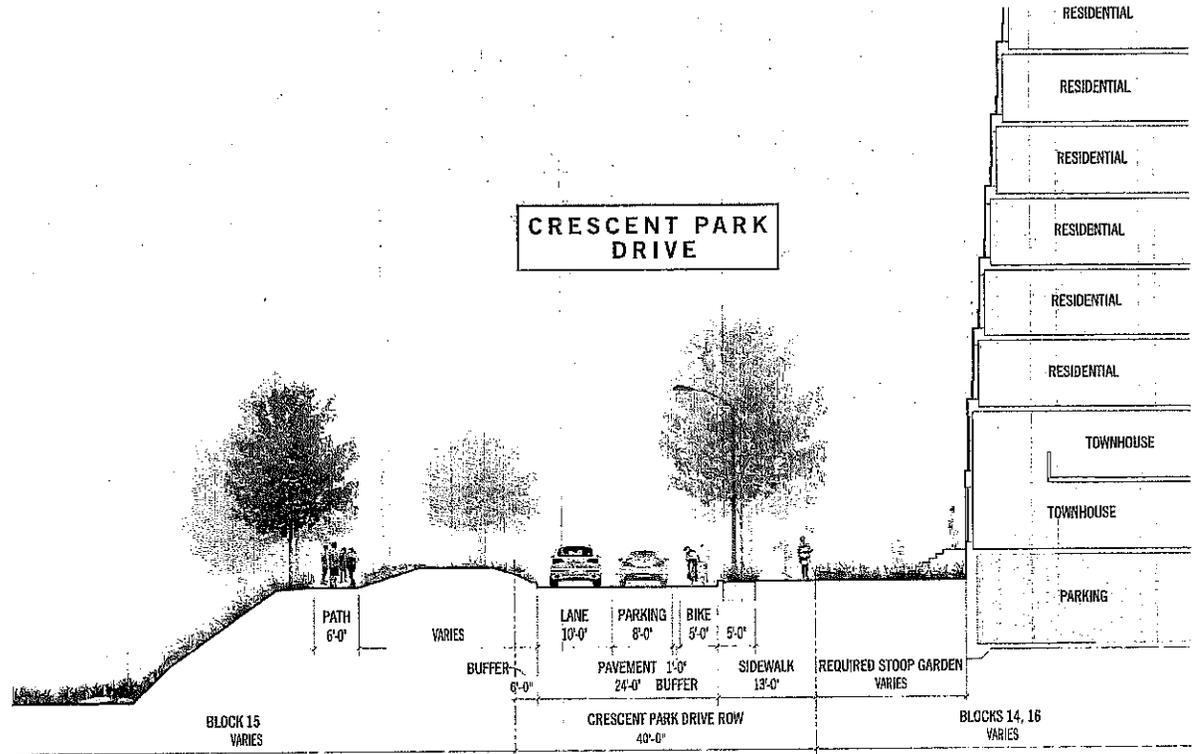
Ground floor frontage per Frontage Regulating Plan.  
 Where final engineering reduces clear sidewalk width,  
 buildings may be set back to achieve required dimension.

# THOROUGHFARE DESIGN STANDARDS

## SECTION K

ST-40-24

TYPE.....CRESCENT PARK DRIVE  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....ONE LANE  
 PARKING LANES.....BUILDING SIDE  
 ROW WIDTH.....40 FEET  
 PAVEMENT WIDTH.....24 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....2.9 SECONDS  
 SIDEWALK WIDTH.....10 FEET, BUILDING SIDE  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....BUILDING SIDE ONLY AT 25 FEET OC AVERAGE  
 TREE SPECIES.....GLEDITSIA TRIACANTHOS (HONEY LOCUST),  
 GINKGO BILOBA (MAIDENHAIR TREE), CELTIS OCCIDENTALIS (HACKBERRY),  
 GYMNOCLADUS DIOICUS (KENTUCKY COFFEETREE)  
 OTHER.....



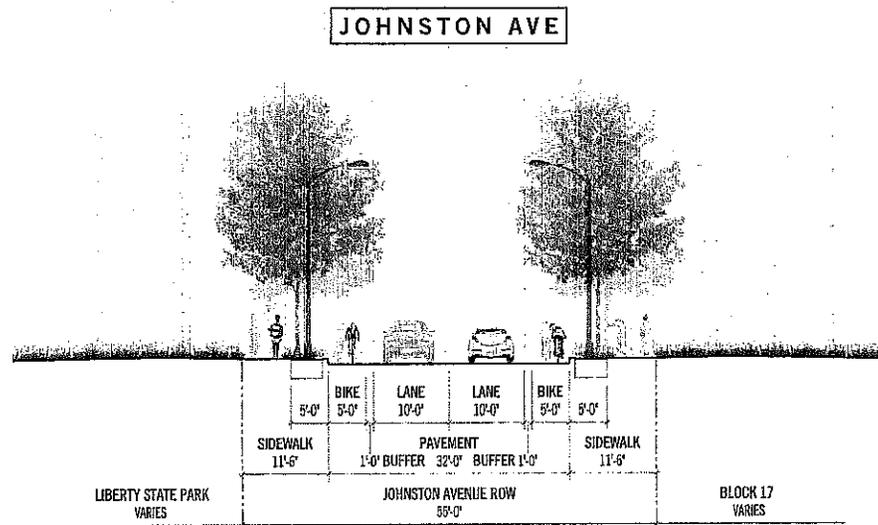
NOTE: Ground floor frontage per Frontage Regulating Plan.

# THOROUGHFARE DESIGN STANDARDS

## SECTION L

AV-5 5-3 2

TYPE.....JOHNSTON AVENUE EAST  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO ONE-WAY LANES  
 PARKING LANES.....NONE  
 ROW WIDTH.....55 FEET  
 PAVEMENT WIDTH.....32 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....9.1 SECONDS  
 SIDEWALK WIDTH.....11.5 FEET  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....ALIGNED AT 30 FEET OC AVERAGE  
 TREE SPECIES.....OAK MIX: QUERCUS PALUSTRIS (PIN OAK), Q.BICOLOR  
 (SWAMP WHITE OAK), Q.MACROCARPA (BUR OAK), Q.IYRATA (OVERCUP OAK)  
 OTHER.....

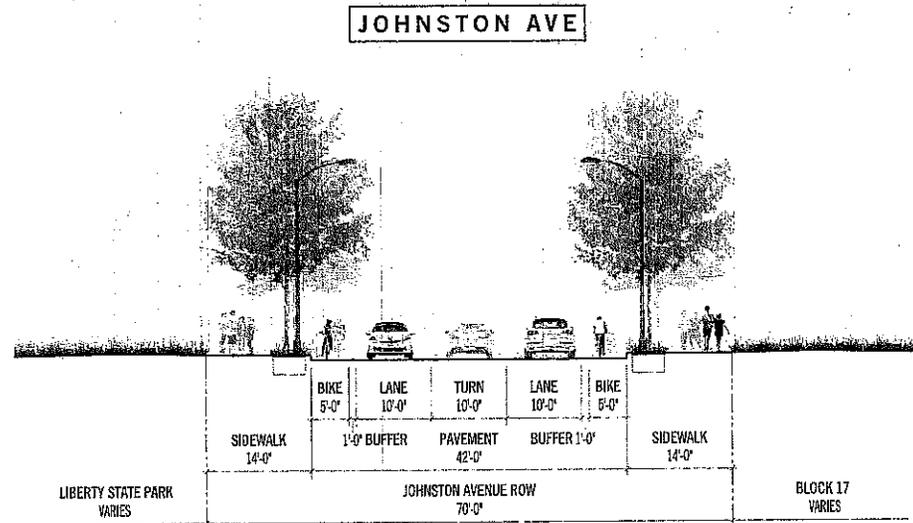


# THOROUGHFARE DESIGN STANDARDS

## SECTION M

AV-70-42

TYPE.....JOHNSTON AVENUE WEST  
 MOVEMENT.....FREE MOVEMENT  
 TRAFFIC LANES.....TWO ONE-WAY LANES  
 PARKING LANES.....NONE  
 ROW WIDTH.....70 FEET  
 PAVEMENT WIDTH.....42 FEET  
 CURB RADIUS.....15 FEET  
 VEHICULAR DESIGN SPEED.....25 MPH  
 PEDESTRIAN CROSSING TIME.....12.0 SECONDS  
 SIDEWALK WIDTH.....14 FEET  
 PLANTER WIDTH.....5 FEET  
 PLANTER TREATMENT.....CONTINUOUS OPEN PLANTER  
 PLANTING INTERVAL.....ALIGNED AT 30 FEET OC AVERAGE  
 TREE SPECIES.....OAK MIX: QUERCUS PALUSTRIS (PIN OAK), Q.BICOLOR  
 (SWAMP WHITE OAK), Q.MACROCARPA (BUR OAK), Q.IYRATA (OVERCUP OAK)  
 OTHER.....



# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-172  
 TITLE: 3.N NOV 29 2017 4.M

**DEC 13 2017**

Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Grand Jersey Redevelopment Plan to create a new park zone and revise other general design, development, and resiliency standards of the plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION <b>NOV 29 2017</b> <b>8-0</b> |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <b>DEC 13 2017</b> <b>9-0</b>               |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <b>DEC 13 2017</b> <b>9-0</b> |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
 Adopted on second and final reading after hearing on **DEC 13 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:   
 Rolando R. Lavarro, Jr., Council President  
 Date **DEC 13 2017**

APPROVED:   
 Steven M. Fulop, Mayor  
 Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-173

Agenda No. 3.0 1st Reading

Agenda No. 4.N. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-173

TITLE:

### AN ORDINANCE AMENDING CHAPTER 296, (STREETS AND SIDEWALKS) ARTICLE I (SNOW AND ICE REMOVAL)

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, the provision of the Municipal Code regarding the duties of owners or occupants of residential properties and the owners or occupants of commercial properties to remove snow and ice following a snowstorm, currently mandate that the owners or occupants need only clear a path on the adjoining sidewalk one foot wide after the end of the snowfall; and

**WHEREAS**, a path only one foot wide is inconsistent with the goal of the Americans with Disabilities Act (ADA) which mandates that sidewalks be made accessible to everyone, regardless of physical condition, and a one foot-wide path cannot accommodate a person in a wheelchair or a person using a walker; and

**WHEREAS**, a 36 inch-wide path would be suitable to accommodate a person in a wheelchair or a person using a walker and would be consistent with the goal of the ADA to make sidewalks accessible to everyone, regardless of physical condition; and

**WHEREAS**, it is in the City's best interest to require the owners or occupants of residential properties and the owners or occupants of commercial properties to clear a path on the adjoining sidewalk at least 36 inches wide after the end of the snowfall.

**NOW, THEREFORE BE IT ORDAINED** by the Municipal Council that Chapter 296, (Streets and Sidewalks) Article I (Snow and Ice Removal) of the Municipal Code be amended to read:

#### ARTICLE I Snow and Ice Removal

**§ 296-1.1. - Duties of owners or occupants of residential ~~property~~ properties; time for removal.**

Every owner, occupant or person having charge of a residential building or vacant lot shall, in case of a snowfall, clear ~~such~~ any snow and ice from the sidewalks and gutters thereof ~~to the extent of one foot~~ and create a path of travel along the sidewalk which is at least 36 inches wide outside the curb in front of the building or lot, space permitting, as well as on the side thereof, ~~where space permitting~~, if the building or lot faces on more than one street, within eight (8) hours after the snow has ~~fallen~~ stopped falling. If the snowfall ~~has fallen~~ ceased during the night, removal shall be ~~finished~~ completed ~~within no later than~~ eight (8) hours after sunrise.

**§ 296-1.2. - Duties of owners or occupants of commercial ~~property~~ properties and non-structures; time for removal.**

Every owner, occupant or person having charge of a commercial building or non-residential structure ~~or vacant lot~~ shall, in case of a snowfall, clear such any snow and ice from the sidewalks and gutters thereof ~~to the extent of one foot~~ and create a path of travel along the sidewalk which is at least 36 inches wide outside the curb in front of the building or ~~lot structure~~, space permitting, as well as on the side thereof, ~~where space permitting, if~~ where the building or ~~lot structure~~ faces on more than one street, within four (4) hours after the snow has ~~fallen~~ stopped falling. If the snowfall ~~has fallen~~ ceased during the night, removal shall be ~~finished~~ completed within no later than four (4) hours after sunrise. Snow and ice shall be completely cleared from all parking spaces attached to the commercial building as well as from the area immediately surrounding the parking spaces, and all walking aisles from the parking lot to the commercial building shall have a path of travel which is at least 36 inches wide, space permitting. Curb ramps shall also be cleared of snow and ice and all entrances to any commercial building or non-residential structure, and any exits from any commercial building or non-residential structure shall be cleared of snow and ice in order to facilitate safe and easy access to the building or structure.

§ 296-2. - Snow removal.

NO CHANGE.

§ 296-3. - Ice removal.

NO CHANGE.

§ 296-4. - Injury to pavement; spreading of ashes, sawdust or sand.

NO CHANGE.

§ 296-5. - Deposit of harmful substances prohibited; rock salt.

NO CHANGE.

§ 296-6. - Removal by City within twelve hours of daylight after snowfall; costs to become lien.

NO CHANGE.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect twenty (20) days after enactment.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

NOTE: All new material is underlined; words ~~struck through~~ are omitted.

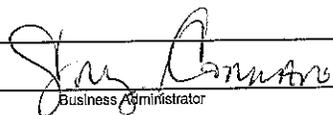
For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH 11/27/17

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

  
\_\_\_\_\_  
Business Administrator

Certification Required   
Not Required

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-173  
 TITLE: 3.0 NOV 29 2017 4.N **DEC 13 2017**

An ordinance amending Chapter 296, (Streets and Sidewalks) Article I  
 (Snow and Ice Removal).

| RECORD OF COUNCIL VOTE ON INTRODUCTION <span style="float: right;"><b>NOV 29 2017 8-0</b></span> |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <span style="float: right;"><b>DEC 13 2017 9-0</b></span> |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H.               |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

*JAYSON BURG*

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMAN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <span style="float: right;"><b>DEC 13 2017 9-0</b></span> |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote N.V.--Not Voting (Abstain)

**NOV 29 2017**

Adopted on first reading of the Council of Jersey City, N.J. on \_\_\_\_\_

**DEC 13 2017**

Adopted on second and final reading after hearing on \_\_\_\_\_

This is to certify that the foregoing Ordinance was adopted by  
 the Municipal Council at its meeting on **DEC 13 2017**

*Robert Byrne*

Robert Byrne, City Clerk

\*Amendment(s):

APPROVED:

*Rolando R. Lavarro, Jr.*

Rolando R. Lavarro, Jr., Council President

Date

**DEC 13 2017**

APPROVED:

*Steven M. Fulop*

Steven M. Fulop, Mayor

Date

**DEC 18 2017**

Date to Mayor

**DEC 14 2017**

City Clerk File No. Ord. 17-174

Agenda No. 3.P 1st Reading

Agenda No. 4.0. 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-174

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY  
OF JERSEY CITY ADOPTING AMENDMENTS TO THE  
JOURNAL SQUARE 2060 REDEVELOPMENT PLAN TO  
AMEND BONUS STANDARDS FOR THE CONSTRUCTION  
AND EXTENSION OF CENTRAL AVENUE AND HOMESTEAD  
PLACE**

**WHEREAS**, the Municipal Council of the City of Jersey City, adopted the Journal Square 2060 Redevelopment Plan at its meeting of July 14, 2010, Ordinance #10-103; and

**WHEREAS**, the Municipal Council seeks to promote the continuing redevelopment of the area by amending the standards and regulations within the redevelopment plan to amend the General Administrative Standards to provide language for an incentive bonus involving the reconstruction and extension of Central Avenue and Homestead Place; and

**WHEREAS**, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

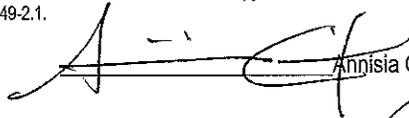
**WHEREAS**, the following amendments to the Journal Square 2060 Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meetings on October 10<sup>th</sup> and November 13, 2017; and

**WHEREAS**, the Planning Board voted to recommend adoption of these amendments by the Municipal Council; and

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the recommended amendments to the Journal Square 2060 Redevelopment Plan be, and hereby are, adopted.

**BE IT FURTHER ORDAINED THAT:**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

  
Annisia Cialone, AICP, Director of Planning

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED: 

APPROVED:   
Business Administrator

Certification Required   
Not Required

**ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

**Full Title of Ordinance/Resolution**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN TO AMEND BONUS STANDARDS FOR THE CONSTRUCTION AND EXTENSION OF CENTRAL AVENUE AND HOMESTEAD PLACE**

**Initiator**

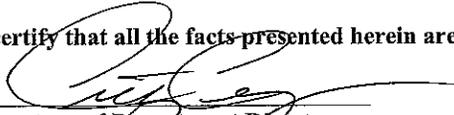
|                     |                           |                                   |
|---------------------|---------------------------|-----------------------------------|
| Department/Division | HEDC                      | City Planning                     |
| Name/Title          | Annisia Cialone, AICP     | Director                          |
|                     | Tanya R. Marione PP, AICP | Principal Planner                 |
| Phone/email         | 201-547-5010              | acialone@jcnj.org/tanyam@jcnj.org |

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Purpose**

This ordinance amends the Journal Square 2060 Redevelopment Plan to allow properties adjacent to the proposed Homestead Place extension and Central Avenue reconstruction and extension to use the height and bulk standards in Zone 3 in return for the construction and dedication of the construction of the new Right of Ways.

I certify that all the facts presented herein are accurate.

  
Signature of Department Director

11/17/17  
Date

IV) GENERAL ADMINISTRATIVE PROVISIONS

K)

All development projects within Zone 1, Zone 2, Zone 10, Zone 11, or Zone 12, ***as well as all development projects seeking to utilize the bonus incentives described in the Homestead Place and Central Avenue Bonus Provisions***, shall be pursuant to a redevelopment agreement approved by the Jersey City Redevelopment Agency. The agreements will be undertaken on a project by project basis, ***shall be required as a condition of site plan approval, to have entered into a fully executed redevelopment agreement with the Jersey City Redevelopment Agency. The applicant shall be deemed to have satisfied this condition only if the redevelopment agreement sets forth in detail all elements of the public easements the applicant is obligated to grant to the City as a condition of the bonus incentive, including but not limited to the parties, schedule of conveyance, terms and conditions of use, maintenance, repair, and snow removal relating to these easements. Nothing herein shall be construed to deprive or dispossess the Jersey City Redevelopment Agency of the discretionary exercise of its redevelopment powers enumerated in N.J.S.A. 40A:12A-1 et seq. including the designation of a redeveloper under the Act.***

T) **CENTRAL AVENUE EXTENSION BONUS:**

***The purpose of the following is to promote the goals and objectives of the Redevelopment Plan to extend Central Avenue between Newark Ave and Hoboken Avenue (the "Central Avenue Connector") with the aim of providing better circulation and connection for the community to Journal Square.***

***Bonus Incentive:***

***The bonus incentive applies to one or more property owners of tax parcels that are located within Block 8101 and that are located adjacent to the Central Avenue Connector shown on Map 6: Circulation. In order to utilize the bonus, the development/property adjacent to the Central Avenue Connector shall be responsible for the construction or improvement of the***

***full length of the Central Avenue right-of-way extension. A property owner may add lots to the development of the Central Avenue Adjacent Lots.***

***The full extension of Central Avenue that is built shall qualify those Central Avenue Adjacent Lots, and any additional adjacent lots added, to the extension of this bonus. The developer shall be responsible for the contribution of land for public use through the provision of public easements.***

***The Central Avenue Connector right-of-way shall be a minimum of 60 feet wide and designated for both vehicular and pedestrian traffic allowing the uninterrupted continuation of Central Avenue between Newark Avenue and Hoboken Avenue. The width of the public sidewalk shall be designed to be no less than 12 feet wide.***

***The right-of-way shall be designed and constructed with the standards required by the Jersey City Division of Engineering and any other responsible Hudson County officials and departments. All parcels utilizing the bonus, including the creation of the Central Avenue Connector to be contributed to the City through public easements, shall be submitted to the City Planning Division as a single site plan application.***

***All parcels shall be permitted development under Zone 3 with the following modified yards and building setbacks:***

| <b>Story Level</b> | <b>Front Stepback</b> | <b>Side Stepback</b> | <b>Rear Stepback</b> |
|--------------------|-----------------------|----------------------|----------------------|
| 1                  | none                  | none                 | none                 |
| 2 to 5             | none                  | none                 | 5'                   |
| 6 and up           | none                  | none                 | 10'                  |

**U) HOMESTEAD PLACE EXTENSION BONUS:**

*The purpose of the following is to encourage the extension of Homestead Place starting from its intersection with Pavonia Avenue and continuing north through Van Reipen Avenue and Cottage Street, and ending on Newark Avenue, to be identified as the Homestead Place Extension. The goal is to provide for the Homestead Place Extension as a public pedestrian connection from Pavonia Avenue to Newark Avenue. This extension will require the contribution of private lands for this public purpose, and will require the improvement of the Homestead Place Extension by private development, to provide the public with a clean, safe and green pedestrian right-of-way with quality finishes and with an assortment of retail, restaurant, café, bar, and similar permitted active uses along both sides of the Homestead Place Extension.*

*Bonus Incentive: One or more property owners of tax parcels within Blocks 7904, 7903, and 7902 with a minimum assemblage of 20,000 square feet, or an assemblage of a sum of multiple lots adjacent to the Homestead Place Extension totaling a minimum of 20,000 square feet that are not adjacent to each other, and with all of the lots being adjacent to the Homestead Place Extension as shown on Map 6: Circulation, may qualify those properties for utilization of the Homestead Place Extension Bonus for the contribution of land for that purpose, the reconstruction and extension of Homestead Place, and for making such lands available for public use through the provision of public easements. The Homestead Place Extension right-of-way shall be a minimum of 20 feet wide (allowing a single constriction with a minimum clearance of 7 feet on Block 7903) and designated as a pedestrian street with quality finishes and with primarily Retail, Restaurant, Cafe, Bar, and other active uses along both sides.*

*All parcels shall be permitted development under Zone 3 with the following modified yards and building setbacks:*

|                        |   |
|------------------------|---|
| <b>Building Height</b> | <b>Building Step required back along Homestead Place Extension with the exception of Block 7902</b> |
| <b>Up to 30'</b>       | <b>0' (at new street line - Homestead Extension right-of-way)</b>                                   |
| <b>30' and up</b>      | <b>7' minimum'(at new street line- Homestead Extension right-of-way )</b>                           |

| <b>Story Level</b> | <b>Front Stepback</b> | <b>Side Stepback</b> | <b>Rear Stepback</b> |
|--------------------|-----------------------|----------------------|----------------------|
| <b>1</b>           | <b>none</b>           | <b>none</b>          | <b>none</b>          |
| <b>2 to 5</b>      | <b>none</b>           | <b>none</b>          | <b>5'</b>            |
| <b>6 and up</b>    | <b>none</b>           | <b>none</b>          | <b>10'</b>           |
|                    |                       |                      |                      |

**The Homestead Place Extension right-of-way shall be a street frontage for the purpose of calculating yards and step backs pursuant to the Corner A Bonus or Zone 3 development. The area of the existing right-of-way of Homestead Place between Pavonia Avenue and Van Reipan Avenue, and the area of Lot 45 in Block 7902, may be added to the calculation of land area of a qualifying project on Block 7903 and 7902 for the purpose of calculating the permitted building height under Zone 3 provided that they are improved as part of the project and extensions of the Homestead Place Extension.**

**The Lot 45 in Block 7902 shall be designated as a Public Easement as part of the Homestead Place Extension.**

# SUMMARY STATEMENT

## ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN TO AMEND BONUS STANDARDS FOR THE CONSTRUCTION AND EXTENSION OF CENTRAL AVENUE AND HOMESTEAD PLACE

This ordinance amends the “General Administrative Provisions” in the Journal Square 2060 Redevelopment Plan through the addition of a bonus provision for the development of Central Avenue and Homestead Place.

The Central Avenue bonus extension would only apply to lots directly adjacent to Central Avenue – and shall be allowed to develop under zone 3 standards. The Central Avenue extension between Hoboken Avenue and Newark Avenue would be constructed as is dictated by Map 6: Circulation

### JOURNAL SQUARE 2060

#### MAP 6: CIRCULATION MAP

SEPTEMBER 12, 2016

1 inch = 520 feet

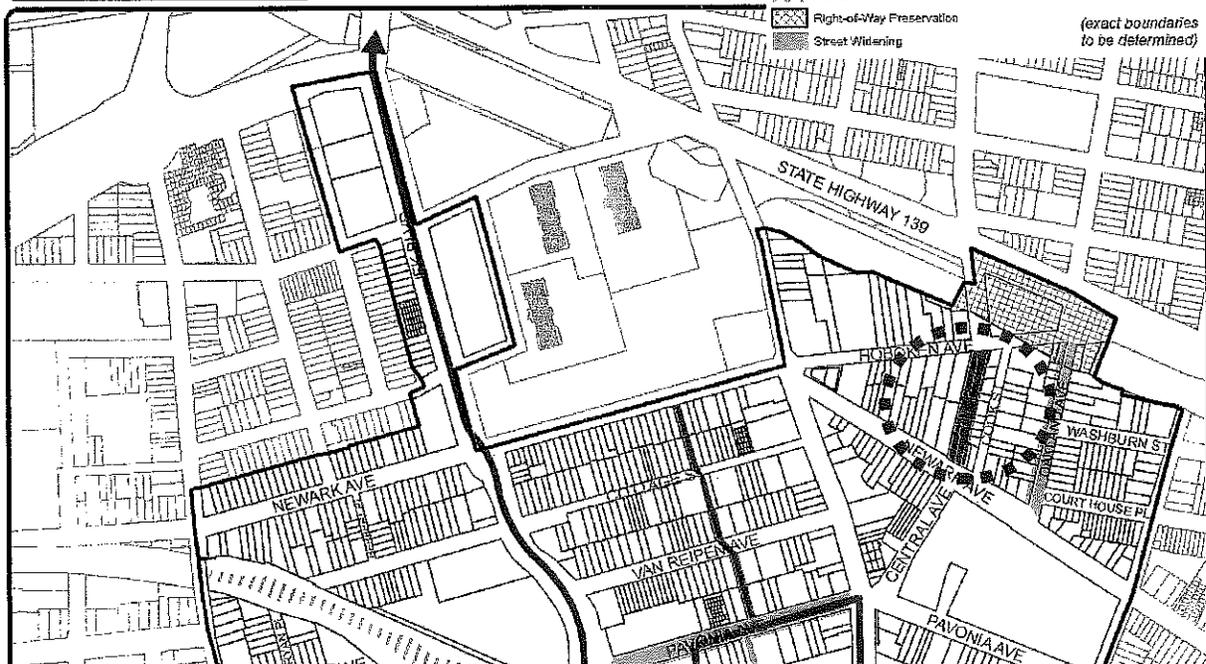
0 250 500 1,000 Feet



### New Circulation Elements

- PATH Access
- Proposed Streetcar
- Proposed Bus Rapid Transit
- Street Vacation
- Homestead Extension
- Central Avenue New Street Connector
- Pedestrian Plaza
- Right-of-Way Preservation
- Street Widening

(exact boundaries to be determined)



The Homestead Extension would be constructed as a 20 ft wide pedestrian access that extends Homestead Place to Newark Avenue. The bonus incentive is triggered by a minimum assemblage of 20,000 sq ft, and allows the property surrounding the extension to use the zoning from the Corner A Bonus in Zone 3. The Homestead Extension would be constructed as shown on Map 6: Circulation

## JOURNAL SQUARE 2060

### MAP 6: CIRCULATION MAP

SEPTEMBER 12, 2016

1 inch = 520 feet

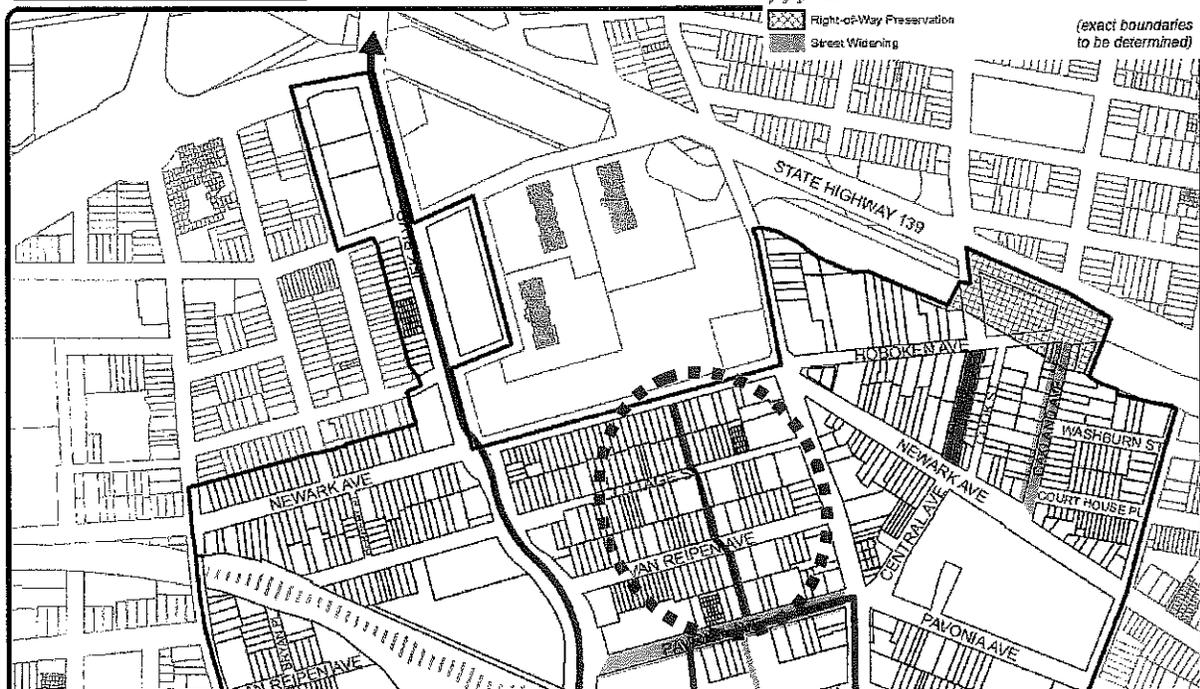
0 250 500 1,000 Feet



### New Circulation Elements

- PATH Access
- Proposed Streetcar
- Proposed Bus Rapid Transit
- Street Vacation
- Homestead Extension
- Central Avenue New Street Connector
- Pedestrian Plaza
- Right-of-Way Preservation
- Street Widening

(exact boundaries to be determined)



# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-174  
 TITLE: 3.P NOV 29 2017 4.0

**DEC 13 2017**

Ordinance of the Municipal Council of the City of Jersey City  
 adopting amendments to the Journal Square 2060 Redevelopment  
 Plan to amend bonus standards for the construction and extension  
 of Central Avenue and Homestead Place.

| RECORD OF COUNCIL VOTE ON INTRODUCTION <b>NOV 29 2017 6-2</b> |     |     |      |               |     |     |      |                |        |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| COUNCILPERSON   | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           |     | ✓   |      | RIVERA         | ✓      |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMEN      | ABSENT |     |      |
| BOGGIANO  |     | ✓   |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <b>DEC 13 2017 9-0</b>                      |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMEN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JASON BURG  
 BILL ARMBRUSTER  
 HALEY GUITTERIZ

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   |     |     |      | YUN           |     |     |      | RIVERA         |     |     |      |
| GADSDEN  |     |     |      | OSBORNE       |     |     |      | WATTERMEN      |     |     |      |
| BOGGIANO   |     |     |      | ROBINSON      |     |     |      | LAVARRO, PRES. |     |     |      |

| RECORD OF FINAL COUNCIL VOTE <b>DEC 13 2017 9-0</b> |     |     |      |               |     |     |      |                |     |     |      |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON                                       | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI  | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN   | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMEN      | ✓   |     |      |
| BOGGIANO  | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **NOV 29 2017**  
 Adopted on second and final reading after hearing on **DEC 13 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **DEC 13 2017**

Robert Byrne, City Clerk

APPROVED:   
 Rolando R. Lavarro, Jr., Council President

Date **DEC 13 2017**

\*Amendment(s):

APPROVED:   
 Steven M. Fulop, Mayor

Date **DEC 18 2017**

Date to Mayor **DEC 14 2017**

City Clerk File No. Ord. 17-175

Agenda No. 3.0 1st Reading

Agenda No. 4.P. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-175

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 345  
(ZONING) FOR ZONE 3 OF THE JERSEY CITY MUNICIPAL CODE TO  
ALLOW HOUSES OF WORSHIP AS A PERMITTED USE**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:**

**WHEREAS**, the upper floors of many properties are suitable for use as Houses of Worship; and

**WHEREAS**, allowing Houses of Worship on the upper floors is a reasonable accommodation of religion without any detrimental effect on sound land use principles within the zone; and

**WHEREAS**, the Planning Board at its November 28, 2017 meeting voted 6-0 to recommend proposed amendments to the Journal Square 2060 Redevelopment Plan Area, Zone 3, to allow houses of worship as a permitted use on every floor but the ground floor; and

**WHEREAS**, the Planning Board's recommendation is attached hereto.

**NOW, THEREFORE BE IT ORDAINED**, by the Jersey City Municipal Council that the Journal Square 2060 Redevelopment Plan, Zone 3, is hereby amended as follows:

**A) ZONE 3: COMMERCIAL CENTER**

The purpose of this zone is to provide for an active and intensive use of parcels surrounding the Journal Square Transportation Center. With close proximity and short walking distances to heavy rail and bus transit systems, this zone complements the established commercial center of Jersey City.

i. Permitted Uses:

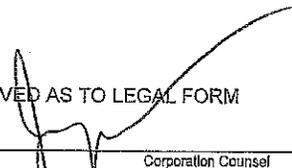
1. Residential: permitted everywhere except on the ground floor of buildings greater than 65 feet in height.
2. Retail Sales of Goods and Services/Financial Services.
3. Offices: permitted everywhere except on the ground floor of buildings greater than 65 feet in height.
4. Houses of worship: permitted everywhere except on the ground floor of buildings.
5. Art galleries.
6. Live/Work units and home occupations: except on the ground floor of buildings greater than 65 feet in height.
7. Restaurants: category one and two.
8. Structured Parking: provided the design standards of Section IV; D above are met. Structured Parking is not permitted at any street corner location.
9. Hotels/Bed and Breakfast.
10. Medical Offices
11. Child and Adult Day Care Centers.
12. Theatres/Night Clubs/Bars.

- 13. Schools
- 14. Museum
- 15. Government uses.
- 16. Billboards: as per billboard requirements in Section VII: E above.
- 17. Any combination of the above.
- ii. Accessory Uses
  - 1. Fences and seating walls.
  - 2. Landscape features.
  - 3. Improved Open Space.
  - 4. Signs.
  - 5. Rooftop Recreation.
  - 6. Sidewalk Cafe: where sidewalk width permits.
- iii. Prohibited Uses
  - 1. Surface parking as a principal or accessory use.
  - 2. Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
  - 3. Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take ~~effect at the time and in the manner as provided by law.~~  
60 DAYS AFTER FINAL ADOPTION.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**Note:** All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

11/29/17

APPROVED AS TO LEGAL FORM  
  
 Corporation Counsel

Certification Required   
 Not Required

APPROVED: \_\_\_\_\_  
 APPROVED:   
 Business Administrator

# Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-175  
TITLE: 3.Q NOV 29 2017 4.P

DEC 13 2017

Ordinance adopting house of worship as a permitted use in Zone 3 of the Journal Square 2060 Redevelopment Plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION |     |     |      |               |     |     |      |                |        |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| NOV 29 2017 8-0                        |     |     |      |               |     |     |      |                |        |     |      |
| COUNCILPERSON                          | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE    | NAY | N.V. |
| GAJEWSKI                               | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓      |     |      |
| GADSDEN                                | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ABSENT |     |      |
| BOGGIANO                               | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓      |     |      |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| DEC 13 2017 9-0  |     |     |      |               |     |     |      |                |     |     |      |
| Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>GADSDEN</u> to close P.H. |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY   |     |     |      |               |     |     |      |                |     |     |      |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| DEC 13 2017  |     |     |      |               |     |     |      |                |     |     |      |
| Councilperson <u>WATTERSON</u> moved to amend* Ordinance, seconded by Councilperson <u>OSBORNE</u> & adopted |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON  | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI   | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN  | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO   | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

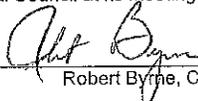
| RECORD OF FINAL COUNCIL VOTE |     |     |      |               |     |     |      |                |     |     |      |
|------------------------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| DEC 13 2017 9-0              |     |     |      |               |     |     |      |                |     |     |      |
| COUNCILPERSON                | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON  | AYE | NAY | N.V. |
| GAJEWSKI                     | ✓   |     |      | YUN           | ✓   |     |      | RIVERA         | ✓   |     |      |
| GADSDEN                      | ✓   |     |      | OSBORNE       | ✓   |     |      | WATTERMAN      | ✓   |     |      |
| BOGGIANO                     | ✓   |     |      | ROBINSON      | ✓   |     |      | LAVARRO, PRES. | ✓   |     |      |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 29 2017  
Adopted on second and final reading after hearing on DEC 13 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on DEC 13 2017

  
Robert Byrne, City Clerk

\*Amendment(s):

MAKE ORDINANCE  
EFFECTIVE 60 DAY  
AFTER ADOPTION

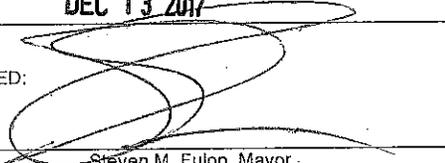
APPROVED:



Rolando R. Lavarro, Jr., Council President

Date DEC 13 2017

APPROVED:



Steven M. Fulop, Mayor

Date DEC 18 2017

Date to Mayor DEC 14 2017